

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24200 of 2026

Arising Out of PS. Case No.-1266 Year-2023 Thana- Excise P.S. District- Kishanganj

Shiv Mandal @ Shiv Kumar Mandal S/o Ganaur Mandal R/o Mastan Chowk,
Gothra, P.S- Thakurganj, Dist- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-04-2026 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Excise Police Station Case No. 1266 of 2023, dated 11.09.2023, disclosing offence under Sections 30 (a)/32(3) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, during vehicle check, saw two persons coming on a motorcycle, having a plastic bag kept on the seat between them. On seeing, the two persons, after throwing the plastic bag, tried to flee away, however, the police arrested one person, who disclosed his name as Rahul Paswan and the name of the person who fled away as the petitioner. Upon search of the plastic bag, the



police recovered 9 litres of illicit country-made liquor.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused person. He further submits that the petitioner is not the owner of the motorcycle in question and he has no concern with the alleged recovered liquor. The petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent, he is not the owner of the motorcycle in question and his name transpired in this case on the basis of confessional statement of arrested co-accused person, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Kishanganj, in connection with Excise



Police Station Case No. 1266 of 2023, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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