

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31232 of 2026

Arising Out of PS. Case No.-86 Year-2025 Thana- RAJNAGAR District- Madhubani

Randhir Mandal S/O Shatrughan Mandal R/O Vill-Raghopur Balat, P.S-
Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Ms. Kumari Pallavi, learned counsel for the
petitioner and Mr. Madan Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
28.03.2026, in connection with Rajnagar P.S. Case No. 86 of 2025,
F.I.R. dated 10.03.2025 registered for the offences punishable
under Sections 274, 275, 3(5) of the B.N.S. and Sections 30(a), 47
of the Bihar Prohibition & Excise Act.

3. Recovery is of 1535.640 litres of *illicit* liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R. as
well as seizure list that recovery has been made behind the house
of co-accused person, namely, Shivji Mandal and the name of the
petitioner has been transpired on the basis of disclosure made by



co-accused person, namely, Sudhir Kumar Mandal. It appears from the seizure list that altogether 1535.640 litres of Nepali Sofi liquor was recovered behind the house of co-accused Shivji Mandal and thereafter 90 litres of country made liquor was recovered from the scooty in question. He further submits that the petitioner is not the owner of the scooty in question and he has no concern at all with the co-accused persons, namely, Sudhir Kumar Mandal and Shivji Mandal. It appears from the seizure list that the seizure list witnesses are police personeel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 28.03.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases of similar nature other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each



to the satisfaction of learned Exclusive Special Judge Exise, Madhubani in connection with Rajnagar P.S. Case No. 86 of 2025, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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