

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31711 of 2026

Arising Out of PS. Case No.-81 Year-2026 Thana- PHULPARAS District- Madhubani

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Pawan Mandal @ Pawan Kumar Mandal S/o Masudi Mandal @ Lt. Masaudi Mandal @ Lt. Masodi Mandal R/o- Village- Kalapatti, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for bail registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from a semi-constructed house of the petitioner, altogether 1311.84 liters of illicit foreign and Nepali liquor were recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that though the semi-constructed house belongs to the petitioner, but it is an open place which has no evidentiary value in the eye of law. He also submits that nothing has been recovered



from the possession of the petitioner. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. Moreover, the petitioner is languishing in judicial custody since 03.03.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has got two criminal antecedent of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail **with the condition that the petitioner shall not indulge himself in similar nature of offences in future.** The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 81 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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