

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33340 of 2026

Arising Out of PS. Case No.-24 Year-2026 Thana- KURSAKANTA District- Araria

Suresh Kumar Mandal @ Suresh Mandal, S/o Sarplal Mandal @ Samfu Mandal @ Sarap Lal Mandal, R/o Village - (Ward No. 01) Harira, (Tharu Tola) P.S. - Kursakanta, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dheeraj Kumar, Adv.

For the Opposite Party/s : Mr.Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-07-2026

Heard the parties.

2. Petitioner apprehends his arrest in connection with Kursakanta P.S. Case No. 24 of 2026 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. The prosecution case, in brief, is that on 10.02.2026, acting on secret information, the police conducted a raid at the house of the accused, Suresh Mandal. On seeing the police, the accused allegedly fled from the rear side of his house. During the search of the banana plantation behind the house, the police recovered 23.825 liters of liquor.

4. The main submissions advanced by the petitioner's counsel are that the instant matter relates to the recovery of



liquor, which is alleged to have been recovered from a banana orchard situated behind the petitioner's house. It is further submitted that the alleged banana orchard is open from all sides and having access to all. It is further submitted that the prosecution's allegation that upon seeing the police party, the petitioner managed to flee through the back door of his house by taking advantage of the darkness and the police party succeeded in identifying him in such darkness, is inherently improbable.

5. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

6. Heard both the sides and perused the FIR and the case diary. Against the petitioner, there are three more criminal antecedent cases lodged under the Excise Act, as appears from paragraph no. 42 of the case diary, further, the conduct of the petitioner in fleeing away upon seeing the police party when the raid was conducted at the alleged place, as reflected in the FIR, goes against the petitioner, since the case is still under investigation, in my opinion, the petitioner has not made out a case for grant of anticipatory bail. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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