

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37609 of 2026

Arising Out of PS. Case No.-420 Year-2025 Thana- BAISI District- Purnia

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Bikash Kumar Mandal @ Vikash Kumar Mandal Son of Baidhnath Mandal
Resident of Village- Banali, Babhani, P.S.- Dagrua, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-06-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Baisi P.S.

Case No. 420 of 2025 registered for the offences

punishable under Section 30(a) of the Bihar Prohibition and

Excise (Amendment) Act, 2022.

3. The allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 7.440 litres of IMFL/country

made liquor from the motorcycle.

4. Learned counsel appearing on behalf of the

petitioner submitted that the motorcycle of petitioner was



stolen by some unknown person just before the present recovery of illicit liquor and as petitioner was in process to lodge FIR regarding the occurrence, in meantime it was seized by police in connection with present crime in question, which is regarding recovery of illicit liquor. It is submitted that the aforesaid fact can be gathered from the FIR itself, as the co-accused while apprehended by police without naming this petitioner disclosed that he got this motorcycle from one Shivam Kumar. It is submitted that apparently recovery of illicit liquor was not made from petitioner, who is a man of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances as recovery of illicit liquor *prima facie* not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Purnea/concerned Court, where the case is pending in connection with Baisi P.S. Case No. 420 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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