

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35479 of 2026

Arising Out of PS. Case No.-450 Year-2024 Thana- Excise P.S. District- Patna

Vinod Kumar @ Vinod Kumar Mandal Son of Dahu Mandal Resident of
Mohalla- East Chitragupta Nagar, Behind Janki Apartment, P.S.- Kankarbagh
District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the State : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 21-05-2026 Heard the learned counsel for the petitioner and the learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with
Excise (Patna) P.S. Case No. 450 of 2024, for allegedly having
committed offence under Sections 30(a), 56(b) of Bihar Prohibition
& Excise Act.

3. As per the prosecution story which has been lodged on
the basis of the written report submitted by the informant to the effect
that on 02.03.2024, at about 8 P.M., while he along with the police
party proceeded for conducting raid against the sale and purchase of
illegal liquor. While he reached near Kila Ghat, one person started
fleeing away, after leaving his scooty. From the bag which was kept
on the scooty bearing Registration No. BR-01CM-8520, 40 liters of
illegal country made liquor was recovered and a seizure list was



prepared.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has not committed any offence. His name has transpired in the present case, since the scooty, from which the illicit liquor was recovered, belongs to him. He further submits that no recovery has been made from the conscious possession of the petitioner and he is mechanic of car, therefore, there is no question of his indulgence in selling the illegal liquor. He further submits that in the year 2022, the marriage of the son of the petitioner was solemnized at Hajipur and in the year 2024, the brother-in-law of the petitioner's son had taken away the said scooty, therefore, the petitioner was not aware about the use of said scooty in selling of illegal liquor. It is further submitted that the petitioner has got a clean antecedent.

5. Per contra, the learned APP for the State opposes the prayer for bail of the petitioner.

6. Having heard the rival submissions and after going through the records, it appears that the name of the petitioner has transpired in the present case, since the scooty from which 40 liters of illegal country made liquor was recovered, belongs to him. The petitioner was not present at the place of occurrence, therefore nothing was recovered from his conscious possession. Further, the petitioner has got a clean antecedent.

7. Considering the facts aforesaid, let the petitioner, above



named, in the event of his arrest or surrender within a period of six weeks, 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 the learned Special Judge Excise-III, Patna in connection with Excise (Patna) P.S. Case No. 450 of 2024 , subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with a further condition that :-

The learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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