

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36910 of 2026

Arising Out of PS. Case No.-128 Year-2026 Thana- BAISI District- Purnia

Subrato Mandal son of Lalit Mandal Resident of Village- Kanki Doogaon Bil
Para, Ps- Chakulia, Dist- Utter Dinjapur (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jaishankar Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2026 Heard Mr. Jaishankar Kumar Yadav, learned counsel
for the petitioner and Mr. Madhura Nand Jha, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
03.04.2026 in connection with Baisi P.S. Case No. 128 of 2026,
F.I.R. dated 03.04.2026 for the offences punishable under
Sections 30(a), 41, and 47 of the Bihar Prohibition and Excise
Amendment Act, 2022.

3. Recovery is of 1350 liters of illicit foreign liquor
from a vehicle.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from the F.I.R. as well as seizure list that nothing has been



recovered from the conscious possession of the petitioner rather the recovery has been made from the vehicle in question and petitioner is not the owner of vehicle in question. He further submits that the petitioner has been made accused merely on the ground that he is driver of the said vehicle. It appears from the seizure list that there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 03.04.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act I, Purnia, in connection with Baisi P.S. Case No. 128 of 2026 subject to the following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

iii. 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 antecedent, 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)

Vanisha/-

U		T	
---	--	---	--

