

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40136 of 2026**

Arising Out of PS. Case No.-502 Year-2026 Thana- KATIHAR NAGAR District- Katihar

Sunil Kumar Mandal @ Sunil Mandal S/o Gulab Mandal R/o Vill- Koriya
Tola, P.S- Katihar, Dist- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 29-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 05-05-2026 in connection with Katihar Nagar P.S. Case No. 502 of 2026 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. That the prosecution case, as per written report of Hareram Kumar Sahu, SI of Police, Town Police Station. Katihar in short is that, on 03-05-2026 while of patrolling duty near D.S. College at about 13:30 hours he was informed to move Koriya Patti for special raid. Thereafter they reached Hariganj Chowk and there from to Koriya Patti at about 14:05 hours and surrounded the house of Sunil Kumar Mandal. It is alleged that one person attempted to fleeing away but was



apprehended by the police. The person disclosed his name as Sunil Kumar Mandal and in presence of raiding party member themselves the house of the petitioner was searched and allegedly from the Aangan from the plastic bags total 21.165 Liters of foreign liquor as well as 50 liters of country made liquor contained in a Jarkin recovered witnessed thereof by the raiding party member themselves. It is further stated that the videography could not be made on account of videography set not in order.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Learned counsel for the petitioner submits that it appears from the FIR and seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the house of the petitioner but the petitioner is not the owner of the house in question and the house in question is a joint family property. Learned counsel for the petitioner next submits that petitioner is in custody since 05-05-2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that recovery has been made from the house of the



petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent and the house from where the recovery has been made is a joint house property, 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 District and Additional Sessions Judge, Exclusive Spl. Excise Court-II, Katihar in connection with Katihar Nagar P.S. Case No. 502 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)

Gaurav Sinha/-

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