

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40524 of 2026

Arising Out of PS. Case No.-171 Year-2026 Thana- EXCISE NAUGACHIA District-
Bhagalpur

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Pintu Mahaldar Son of Mukti Mahaldar Resident of Village/ Mohala-
Kushida, P.S.- Harishchandrapur @ Harischandrapur, District- Malda (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

4 08-07-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Excise (Naugachia) P.S. Case No. 171 of 2026 registered for the
offence under Section(s) 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, 4195.800 liters of
foreign liquor was recovered from the truck in question.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has not committed any offence.
Petitioner is in custody since 14.02.2026 and claims clean
antecedent. It is further submitted that nothing has been
recovered from the conscious possession of the petitioner.



5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances and the period of custody, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Excise (Naugachia) P.S. Case No. 171 of 2026 subject to conditions that:-

(i). The petitioner will mark his attendance at the Harishchandrapur @ Harischandrapur Police Station, Malda, West Bengal on the first and third Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(ii) The petitioner shall appear in the trial regularly either personally or through his lawyer and shall cooperate in the trial and non-cooperation in the trial shall result in cancellation of the bail bond of the petitioner.

*(iii) At the time of accepting the bail bonds of the petitioner, the court below shall verify whether the petitioner has a clean antecedent or not. The bail bonds shall be accepted only if it is found that the petitioner has a clean antecedent. **However,***



it is made clear that the acceptance of the bail bonds shall not be delayed on the ground of or in the name of such verification. During the process of verification, the petitioner shall be released on interim bail and upon completion of the verification, the court below shall pass an appropriate order in accordance with law.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

9. Let a copy of this order be communicated to the Superintendent of Police, Malda, West Bengal through FAX or e-mail for immediate compliance.

(Sandeep Kumar, J)

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