

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45233 of 2026

Arising Out of PS. Case No.-138 Year-2026 Thana- Excise P.S. District- Araria

Shravan Kumar Mandal S/o Pratap Chand Mandal Resident of Village-
Thengapur, Pipra, Ward No. 12, P.S.- Bardaha, Distt.- Araria, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 Heard the parties

2.The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Araria Excise P.S. Case No. 138 of 2026 registered for the offences punishable under Section 30(a) of Excise Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 18 litres of IMFL/country made liquor

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from motorcycle which belongs to the petitioner but it was taken by his friend without the consent of petitioner. It is submitted that recovery is not made from conscious physical



possession of the petitioner and neither petitioner was apprehended on spot. Petitioner was implicated only being owner of the alleged motorcycle. Petitioner found involved in two more criminal cases where he is on bail .

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from the physical possession of the petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, 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 District and Addl. Sessions Judge cum Exclusive Spl. Excise Judge II, Araria /concerned Court, where the case is pending in connection with Araria Excise P.S. Case No. 138 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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