IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77353 of 2026

CNR No. BRHC011095512026

Arising Out of PS. Case No.-122 Year-2026 Thana- Mohanpur District- Purnia

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1. Phagu Mandal @ Fago Mandal @ Wakil Mandal S/o Late Guni Mandal, R/o Village- Lalganj Adda Tola, P.S- Mohanpur, Distt.- Purnea.
2. Diwakar Mandal @ Diwakar Kumar S/o Phagu Mandal @ Fago Mandal @ Wakil Mandal, R/o Village- Lalganj Adda Tola, P.S- Mohanpur, Distt.- Purnea.
3. Gulshan Kumar S/o Binod Mandal, R/o Village- Lalganj Adda Tola, P.S- Mohanpur, Distt.- Purnea.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 05-11-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Mohanpur P.S. Case No.122 of 2026 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, on getting secret information regarding illegal business of country made liquor from the *Basa (Bathan)* of petitioner no.1, police party reached at the place of occurrence and recovered total 22.5 litres of illicit country made liquor kept in a plastic bag. It is alleged that

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petitioner nos.2 & 3 fled away from the spot.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case due to dirty village politics. He further submits that the petitioners have no concern either with the alleged seized liquor or with the *Basa (Bathan),* where the recovery has been made. Learned counsel submits that petitioners were not present on the spot on the alleged date and time of the occurrence. He further submits that no incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel submits that petitioners are men of clean antecedent and they undertake to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioners and their clean antecedent, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.2, Purnea/ concerned Court in connection with Mohanpur P.S.

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Case No.122 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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