IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80006 of 2026

CNR No. BRHC011163792026

Arising Out of PS. Case No.-95 Year-2025 Thana- BHAIRAVSHTHAN District- Madhubani

==========

Ajay Mandal S/o Kusheshwar Mandal, Resident of Village- Pathrahi, Post-Pathrahi, P.S.- Ladania, District- Madhubani, Bihar - 847227.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

==========

Appearance :
For the Petitioner : Ms. Minakshi Kumari, Advocate
Mr. Shitanshu Shekhar Kumar, Advocate
Mr. Munna Raj, Advocate
For the State : Ms. Veena Kumari Jaiswal, APP

==========

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Bhiravsthan P.S. Case No. 95 of 2025 dated 04.07.2025, registered for the offences punishable under Sections 30(a) of the B.N.S., 2023.

3. As per the prosecution case, secret information was received about smuggling of Nepali country made liquor in a car. The said car was intercepted and co-accused Rahul Kumar Mandal and Pradeep Kumar Kamat were apprehended and from search of the vehicle, recovery of 450 litres of Nepali liquor was made. The petitioner is stated to be the owner of the vehicle.

4. Learned counsel appearing on behalf of the

WEB COPY

petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Petitioner has no concern with the seized liquor and he has been made accused in this case merely because he is owner of the vehicle in question. The provision of Section 105 of the B.N.S.S., 2023 were not followed. The co-accused persons who were apprehended from the spot have been granted bail by different learned co-ordinate Benches of this Court *vide* orders dated 22.09.2025 and 08.10.2025 passed in Cr. Misc. No. 62644 of 2025 and Cr. Misc. No. 70910 of 2025 respectively. Learned counsel next submits that petitioner is having clean antecedent. Learned counsel lastly submits that petitioner is in custody since 20.09.2026.

5. Learned A.P.P. appearing on behalf of the State vehemently opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from conscious possession of this petitioner and also considering his clean antecedent and his period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like

WEB COPY

amount each to the satisfaction of learned Exclusive Special Judge, Excise, Jhanjharpur / concerned Court, in connection with **Bhiravsthan P.S. Case No. 95 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

Shahnawaz/-

U		T	

WEB COPY