IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79983 of 2026

CNR No. BRHC011165642026

Arising Out of PS. Case No.-251 Year-2026 Thana- VIJAYEPUR District- Gopalganj

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Chhotelal Mandal @ Chhotolal Mandal Son of Late Bidai Mandal, Resident of Village- Lala Ke Belawa, P.S.- Vijaipur, District- Gopalganj.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Suman Kumari Singh, APP

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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 Vijaipur P.S. Case No. 251 of 2026 dated 16.08.2026, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, confidential information was received about petitioner and other co-accused persons bringing country made *chulai* liquor from Uttar Pradesh and ferrying it to other places for sale. A raid was conducted and petitioner and co-accused Jitendra Nat were apprehended. From search of the sack left behind by the petitioner and co-accused when they were being chased, recovery of 125 litres of country made *chulai* liquor was made.

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4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Nothing incriminating has been recovered from conscious possession of the petitioner. The recovery of country made *chulai* liquor was made from four cotton sacks and one plastic bag which were kept at open place and not from petitioner or other co-accused as alleged. Learned counsel next submits that petitioner is having clean antecedent. Learned counsel lastly submits that petitioner is in custody since 16.08.2026

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 nature of recovery and also considering the clean antecedent of the petitioner 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 amount each to the satisfaction of learned District and Additional Sessions Judge-IV-cum-Exclusive Special Judge, Excise Court No. II, Gopalganj / concerned

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Court, in connection with **Vijaipur P.S. Case No. 251 of 2026**, 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/-

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