

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89103 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- Bhalpatti District- Darbhanga

Sanjay Mandal S/o Umesh Mandal R/o village- Bhalpatti, Tola- Manth, Post
office and Police station- Bhalapatti, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Jha

For the Opposite Party/s : Ms. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-01-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 30(a) and
41(1) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases, out of which, one case is
under the Excise Act and allegation is of recovery of 3045.24
litres of liquor from a truck. It is next submitted that petitioner
was not arrested from the spot as such nothing was recovered
from his conscious possession and is not the owner of the truck
and he came to be implicated at the instance of Excise
Department, Government of Bihar, Patna. It is also submitted
that once an accused is implicated in a case relating to excise,



the police starts implicating mechanically without holding a proper investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousands) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhalpatti P.S. Case No.72/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than two cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of two cases, in that event the provisional anticipatory bail order shall



be confirmed forthwith.

(Satyavrat Verma, J)

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