

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.207 of 2026

Arising Out of PS. Case No.-239 Year-2025 Thana- KURSAILA District- Katihar

Kamleshwari Mandal S/O Late Kishan Mandal Resident of Village- Shermari,
ward no. 10, P.S.- Kursela, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kursela
P.S. Case No. 239 of 2025 instituted for the offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act
and 25(1-b)a, 26 of the Arms Act.

3. The prosecution case, in short, is that total 40 litres
of liquor has been recovered from the gallon. It is further
alleged that one country-made pistol with one live cartridge has
been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner rather the recovery has been made from the joint house of the petitioner where other family members of the petitioner also reside. The petitioner has got no concern with the alleged recovery of liquor as well as with the recovery of arms. The petitioner is in custody since 17.10.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kursela P.S. Case No. 239 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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