

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91554 of 2025

Arising Out of PS. Case No.-205 Year-2025 Thana- Excise Dhamdaha District- Purnia

1. Sintu Kumar Mandal S/O Subhash Mandal R/O Vill.- Mogaliya Purandaha, ward no.- 11, P.S.- Dhamdaha, District- Purnea
2. Shubham Kumar S/O Shankar Sahni R/O Vill.- Dhamdaha Uttar, ward no.- 08, P.S.- Dhamdaha, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioners seek bail in connection with Dhamdaha Excise P.S. Case No. 205 of 2025 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 92.790 litres of liquor was recovered from car.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted



that petitioners are not the owner of the vehicle. It is further submitted that petitioner no.1 is the driver of the vehicle in question whereas petitioner no.2 is the associate of driver and both the petitioners have got no concern with the loaded articles/liquor. The petitioners are in custody since 12.12.2025 and have 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 petitioners.

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhamdaha Excise P.S. Case No. 205 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) If the petitioner is found involved in the similar nature of offence in future, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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