

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous Case No.19003 of 2020

Mantu Singh @Mantoo Singh , aged about 34 years (male), son of Late Prabhu Singh, resident of village-Chhotaka Dhamapakar P.S.Manjhgarh District-Gogalganj

..... Petitioner

Versus

The State of Bihar Opposite party

Appearance

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate

For the State : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 13.05.2020 Heard learned counsel for the petitioner and learned A.P.P for the State, through video conferencing.

The petitioner who is in custody since 7.02.2020 has filed the instant application for grant of bail in connection with Trial no. 2575 of 2020 (arising out of Excise P.S. Case no.68 of 2019 at Gopalganj) registered for the offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on a raid being conducted, 302.4 litres of IMFL was recovered from the agriculture field behind the house of the accused persons ie Ravi Kumar Singh as also this petitioner.

It is submitted by learned counsel for the petitioner that no recovery has taken place from the house or the conscious possession of this petitioner. The agriculture field from which the recovery is stated to have taken place does not belong to the



petitioner. It is further submitted that the petitioner has been falsely implicated in other cases due to enmity with Mukhiya. The petitioner is in custody since 7.2.2020 and the co-accused Ravi Kumar Singh has been enlarged on bail vide order dated 29.2.2020 passed in Cr.Misc.no.13437 of 2020.

The application for bail is opposed by learned A.P.P. for the State who submits that the quantity of recovery of liquor is large and the petitioner already has three other cases of similar nature pending against him.

Having heard learned counsel for the parties and taking into consideration the fact that the recovery of the seized article has taken place from a field which cannot be said to be under exclusive possession of this petitioner together with grant of bail to co-accused Ravi Kumar Singh, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Trial no. 2575 of 2020 (arising out of Excise P.S. Case no.68 of 2019) on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-2nd-cum-Special Judge, Excise, Gopalganj.

(Partha Sarthy, J)

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