

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35302 of 2020**

Arising Out of PS. Case No.-542 Year-2020 Thana- FORBESGANJ District- Araria

1. MANGAL DATTA @ MANGAL DUTTA S/O Late Satish Chandra Datta Resident of Village Sultan Pokhar, Ward No. 3, P.S. Forbesganj, District - Araria.
2. Shubham Datta S/O Mandal Datta Resident of Village Sultan Pokhar, Ward No. 3, P.S. Forbesganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      21-12-2020                      Heard Mr. Anil Prasad Singh, learned counsel for the petitioner and Mr. Md. Mushtaque Alam, Additional Public Prosecutor for the state through video conferencing.

2. Petitioners seek regular bail in connection with Special Case No. 547/2020 arising out of Forbesganj PS Case No. 542/2020 registered for the offence punishable under Sections 30(a) of Bihar Prohibition & Excise Act 2016.

3. The allegation, as per First Information Report, is that the police raided the house of the petitioners and recovered 116.190 litres of illicit liquor from the same.

4. Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case with oblique motive. Learned counsel further submits that illicit liquor has been



recovered from the joint house of the petitioners in which other family members also reside and altogether three family members have been made accused for the said recovery. Learned counsel also submits that petitioner no.1 is the father of petitioner no.2.. It is also submitted that charge-sheet has already been submitted in this case and petitioners are in custody since 06.07.2020 having no criminal antecedents.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that charge-sheet has already been submitted in this case and petitioners are in custody since 06.07.2020 having no criminal antecedents, I am inclined to grant regular bail to the petitioners.

6. Accordingly, let the petitioners, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional District & Sessions Judge-cum-Special Judge, Araria in connection with Special Case No. 547/2020 arising out of Forbesganj PS Case No. 542/2020.

7. It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

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**(Anil Kumar Sinha, J)**

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