

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12468 of 2021**

Arising Out of PS. Case No.-251 Year-2020 Thana- JOGBANI District- Araria

SHANICHAR MANDAL @ SANICHAR MANDAL S/o DOMI MANDAL
Resident of Village- Bhattabari, P.S.- Forbesganj, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 24-06-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Jogbani P.S. Case no.
251 of 2020 registered under section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per allegation in the FIR, seeing the SSB
personnel, the accused persons threw away their sacks and
attempted to escape towards Nepal. The petitioner was caught at
the place of occurrence. A total 215.800 litres of liquor was
recovered.

It is submitted by learned counsel for the petitioner
that from perusal of the FIR itself it would transpire that there



were a number of accused persons. No incriminating article has been recovered from the person or possession of the petitioner. The petitioner has no criminal antecedent and is in custody since 2.11.2020. Chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for 7 months and not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Special Case no. 943/2020 (Jogbani P.S. Case no. 251 of 2020) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge – cum – Special Judge, Excise Act, Araria.

(Partha Sarthy, J)

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