

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23790 of 2021**

Arising Out of PS. Case No.-133 Year-2020 Thana- SANOKHAR District- Bhagalpur

Arbind Mandal @ Arbind Kumar, Son of Jay Prakash Mandal @ Jai Krishna Mandal, R/O Adalpur, P.S.- Amdanda, Dist.- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-09-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Shantanu Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Sanokhar (Amdanda) P.S. Case No. 133 of 2020 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018. The petitioner is in custody since 14.10.2020 having no criminal antecedent.

As per the prosecution story, on secret information the informant reached in front of the house of Arbind Mandal (petitioner) and recovered 995 bottles of illicit liquor from the

‘Jugad Gadi’ of said Arbind Mandal.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the petitioner is in custody in connection with this case since 14.10.2020 having no criminal antecedent.

Mr. Shantanu Kumar, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the alleged recovery is from a Jugad Gadi which is being run by co-accused Pawan Sah, however, the said Gadi was standing in front of the house of the petitioner, the petitioner has got no criminal antecedent and he is in custody since 14.10.2020, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Bhagalpur in connection with Sanokhar (Amdanda) P.S. Case No. 133 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify

the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.