

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26105 of 2021**

Arising Out of PS. Case No.-158 Year-2020 Thana- PRATAPGANJ District- Supaul

JAI NARAYAN MANDAL SON OF SARYUG MANDAL Resident of
Village -Bhawanipur (South), P.S.- Pratpganj, Distt.- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Veena Kumari Jaiswal
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 27-07-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition & Excise Act and u/s 25(1-B)A of Arms Act.

As per the prosecution case while the petitioner was in drunken stage two pouches of wine were recovered from dicky of his motor cycle and one country made pistol was recovered from his possession.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 07.12.2020 and he has got clean antecedent.

Learned counsel appearing for the State opposes the



prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Special Judge, Excise Act, Supaul in connection with Pratapganj PS case No. 158/2020/ST Excise No. 1170/2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(Prabhat Kumar Singh, J)

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