

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30957 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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BISHU MANDAL SON OF RAJO MANDAL R/O VILLAGE-
HASANGANJ, ENGLISH, P.S.- KASHIM BAZAR, DISTRICT- MUNGER.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Ms. (Dr.) Indiwari Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Excise Complain Case No. 28 of 2021, registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The allegation, as per the First Information Report, is
that one TATA Magic pick-up van, which was being driven by
the petitioner, was intercepted by the police and a total quantity
of 787.5 litres of illicit liquor was recovered from the same.

Learned Counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he has not
committed any offence in the manner alleged. He further
submits that the petitioner is not the owner of the said pick-up
van and the vehicle in question was being driven by the



petitioner at the instance of the owner of the pick-up van in question and he was not aware about the illicit liquor having been kept inside the pick-up van. He next submits that the petitioner is in custody since 14.02.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, charge sheet has already been submitted and the petitioner is in custody since 14.02.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, Bishu Mandal, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Banka, in connection with Excise Complain Case No. 28 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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