

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31902 of 2021**

Arising Out of PS. Case No.-117 Year-2020 Thana- GAIGHAT District- Muzaffarpur

SANTOSH MANDAL SON OF RAMPRAVESH MANDAL Resident of
Village - Makrandpur, P.S.- Gaighat, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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

2 13-12-2021 Heard Mr. Ganesh Prasad Singh, learned counsel for

the petitioner and Mr. Akshay Lal Pandit, Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with
Gaighat PS Case No. 117/2020 registered for the offence
punishable under Sections 272/273 of the IPC and Section 30(a)
of Bihar Prohibition and Excise Act, 2018.

The allegation, as per First Information Report, is that
the police on the secret information that a consignment of liquor
has been brought from Punjab on a truck, proceeded towards the
place of occurrence and upon seeing the police party, petitioner
along with other co-accused persons succeeded in fleeing away
from the spot. However, the police recovered a total quantity of
4527.360 litres of foreign liquor from the truck and other



vehicles upon which the illicit liquor was being unloaded.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and has has falsely been implicated in this case on the basis of suspicion only. He next submits that the petitioner is not the owner of the truck nor of other vehicles from where illicit liquor has been recovered. He next submits that no illicit liquor has been recovered from the conscious possession of the petitioner nor from the vehicle belonging to him.

Learned counsel further submits that petitioner is in custody since 05.02.2021 and the charge-sheet in the matter has been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 05.02.2021, the charge-sheet in the matter has been submitted and no illicit liquor has been recovered from the conscious possession of the petitioner nor from the vehicle belonging to him, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SANTOSH 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 Special Judge, Excise,
Muzaffarpur in connection with Gaighat PS Case No.
117/2020.

(Anil Kumar Sinha, J)

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