

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43656 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- MANIGACHI District- Darbhanga

SAROJ MANDAL S/O PALTAN MANDAL R/o village- Maubehat, P.S.-
Manigachi, (Nehra O.P.), District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Manigachi (Bajitpur) P.S. Case No. 04 of 2021 corresponding
to G.O. No. 27 of 2021, registered for the offence punishable
under Sections 272, 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 1166.550 liters
of illicit foreign liquor from the cow-shed of the co-accused
person namely Chharpan Mandal.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case, and he is languishing in custody since 9.1.2021.
The learned counsel for the petitioner has further submitted
that admittedly no illicit liquor has been recovered either



from the conscious possession of the petitioner or from his house.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that no recovery has been made either from the conscious possession of the petitioner or from his house, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge-cum-Special Judge, Excise Act, Darbhanga in connection with Manigachi (Bajitpur) P.S. Case No.04 of 2021 corresponding to G.O No. 27 of 2021.

(Mohit Kumar Shah, J)

Tiwary/-

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