

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3258 of 2022

Arising Out of PS. Case No.-200 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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DHANANJAY MANDAL S/o Late Nirmal Mandal R/o- Surianagar Colony,
Near High School Para, Ward No.-7, P.S.- Dalkola, Distt- Uttar Dinajpur,
West Bengal

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh

For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-06-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with C-1
Case No. 200 of 2021 registered for the offences punishable
under Sections 30(A), 56(b) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

As per seizure list, there is recovery of 540 litre
illicit foreign liquor from the vehicle in question and petitioner
is one of the persons who is apprehended on the spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 22.11.2021 and bears no criminal



antecedent. He further submits that petitioner is neither driver nor owner of the said vehicle. Nothing has been recovered from the conscious possession of the petitioner. Prosecution report has been submitted in the case and there is no likelihood of tampering the evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Purnia in connection with C-1 Case No. 200 of 2021, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned



Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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