

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34292 of 2021

Arising Out of PS. Case No.-112 Year-2020 Thana- PASRAHA District- Khagaria

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1. SANCHU MANDAL S/O ADHIK LAL MANDAL R/O VILLAGE-NAVTOLIYA, P.S-PASRAHA, DISTRICT-KHAGARIA.
 2. BABLU MANDAL @ PROMOD KUMAR S/O BALMIKI MANDAL R/O VILLAGE-NAVTOLIYA, P.S-PASRAHA, DISTRICT-KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-01-2022 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with Pasraha Police Station Case No. 112 of 2020, registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police, on the basis of secret information that the petitioner, along with other accused persons, are engaged in the trade of illicit liquor, proceeded towards the place of occurrence and recovered a total quantity of 514.38 litres of illicit liquor from the out-house (BASA) of the house of the co-



accused Manchu Mandal.

Learned Counsel for the petitioner submits that the name of the petitioner has transpired on the basis of secret information received by the police and no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner. He, referring to the seizure list, submits that the illicit liquor has been recovered from the out-house (BASA) of co-accused Manchu Mandal, who has been granted bail by co-ordinate Bench of this Court, by order, dated 10.12.2021, passed in Criminal Misc. No. 27096 of 2021. He further submits that the petitioner is in custody since 05.03.2021, having no criminal antecedent 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 05.03.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.



Let the petitioner, above named, 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, Khagaria, in connection with Pasraha Police Station Case No. 112 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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