

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39676 of 2021

Arising Out of PS. Case No.-38 Year-2021 Thana- SAHIYARA District- Sitamarhi

RAM BABU MANDAL Son of Nagesar Mandal Resident of Village - Baduri,
P.S. - Sahiyara, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-01-2022 Heard.

The petitioner seeks regular bail in connection with Sahiyara P.S. Case No. 38 of 2021, registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 288 liters of illicit Nepali saufi wine from various bags, which had been thrown by the petitioner and other co-accused persons when they were trying to flee away, however, as far as the petitioner is concerned, he was arrested from the spot.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 31.3.2021. The learned counsel for the petitioner has further submitted that the petitioner has already been suitably punished considering his period of incarceration.

Per contra, Mr. Prem Kumar Jha, 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 parties and taking into account the materials available on record as also considering the period of incarceration, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of ADJ-II-cum- Special Judge, Excise Act,



Sitamarhi in connection with Sahiyara P.S. Case No.
38 of 2021.

(Mohit Kumar Shah, J)

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