

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39402 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- KASBA District- Purnia

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MITHILESH KUMAR MANDAL @ MITHILESH KR. MANDAL S/o-
Rajendara Mandal Resident of Village- Jamua, P.S.- Tarabari, District- Araria.
... .. Petitioner/s

Versus

THE STATE OF BIHAR

.. .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Md. Nafisuzsoha, Adv. Mr. Md. Naushad Uzzoha, Adv.
For the Opposite Party/s :	Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-01-2022 Heard Mr. Md. Nafisuzsoha, learned counsel for the

petitioner and Mr. Gauri Shankar Gupta, Additional Public

Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with Kasba
PS Case No. 79/2021 registered for the offence punishable
under Sections 272, 273/34 of the IPC and Section 30(a) of
Bihar Prohibition & Excise Act 2016.

The police intercepted a Scorpio vehicle being driven
by one Md. Ishtiyaque and recovered altogether 81 litres of
illicit liquor from the said vehicle and the petitioner was found
sitting therein.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case mainly
because he was found sitting in the vehicle as co-villager of the



owner of the vehicle. Learned counsel next submits that the petitioner is neither the owner nor the driver of the vehicle and he was not aware about the illicit liquor being kept therein.

Petitioner has got no criminal antecedent and he is in custody since 29.04.2021. Charge-sheet has already been submitted in the matter.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 29.04.2021 having no criminal antecedent, charge-sheet has been submitted in the matter and trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, MITHILESH KUMAR MANDAL @ MITHILESH KR. MANDAL be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Purnia in connection with Kasba PS Case No. 79 of 2021.

(Anil Kumar Sinha, J)

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