

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43893 of 2021

Arising Out of PS. Case No.-105 Year-2020 Thana- HATHAURI District- Samastipur

JAY JAY MANDAL S/O RAMESHWAR MANDAL R/O VILLAGE-
KAMESHWAR NAGAR, P.S-HATHAURI (SHIVAJEE NAGAR),
DISTRICT-SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Hathauri (Shivajee Nagar) Police Station Case No. 105 of 2020,
registered for the offences punishable Section 30 (a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the police got a secret information that the
petitioner, along with one another person, has brought a
consignment of illicit liquor and has kept the same in the cattle
house of co-accused Nageshwar Das, proceeded towards the
place of occurrence and recovered 812.475 litres of illicit liquor
from the cattle house of co-accused Nageshwar Das.



Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of the secret information received by the police and he has not committed any offence in the manner alleged. He further submits that the illicit liquor has been recovered from the cattle house of co-accused Nageshwar Das and no illicit liquor has been recovered from the conscious possession and/or premises belonging to the petitioner. He further submits that the petitioner is in custody since 27.03.2021 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 no illicit liquor has been recovered from the conscious possession and/or premises belonging to the petitioner, he is in custody since 27.03.2021, charge sheet has already been submitted and there is no likelihood of the trial being concluded in near future due to pandemic, 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. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Samastipur, in connection with Hathauri (Shivajee Nagar) Police Station Case No. 105 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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