

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36880 of 2022

Arising Out of PS. Case No.-86 Year-2021 Thana- DHOLBAJJA District- Bhagalpur

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Anil Mandal Son of Late Laxman Mandal, R/o-Vill- Lachminiya P.S.-
Dholbazza (KADWA), Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandrasekhar Sharma, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Dholbazza (Kadwa) P.S. Case No. 86 of 2021, lodged under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016 read
with Sections 25(1-b)a/ 26/ 35 of the Arms Act.

As per prosecution case, the total recovery of 15 liter
of *desi* wine, 2 pistol and 9 live cartridges are the subject matter
relating to the present case which were alleged to be recovered
from the house, which were in possession of petitioner and his
wife.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further

submits that antecedent of petitioner is clean and in the diary, it has come that her wife is involved in such type of preparation of wine and etc. Learned counsel further submits that her wife Savita Devi has already been granted bail by the Co-ordinate Bench of this Court and presently he is seeking bail for the said offence. He also submits that petitioner is in custody since 14.12.2021.

Learned counsel for the State opposes the prayer for bail and submits that petitioner does not deserve for grant bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-IX-cum-Special Judge (Excise), Bhagalpur in connection with Dholbazza (Kadwa) P.S. Case No. 86 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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