

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47504 of 2022**

Arising Out of PS. Case No.-43 Year-2022 Thana- SANHAULA
District- Bhagalpur

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Bikash Mandal Son of Mrituyan Jay Mandal R/O Village-
Mahiyama, P.S.- Sanhoula, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA
SHEKHAR JHA**

ORAL ORDER

2 19-09-2022 Heard learned counsel appearing on behalf of the peti-
tioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sanoula
P.S. Case No. 43 of 2022 registered for the offence under Sec-
tion 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 09.04.2022.



The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 90 litres of IMFL/country made liquor from Mango orchard.

Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from chain of vehicles, which were found abandoned in a mango orchard, where it is alleged that 90 litres of illicit liquor was made from motorcycle of petitioner. It is submitted that petitioner is not connected in any manner with the alleged motor-cycle. Petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has been submitted, as such there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as admittedly recovery of illicit liquor has not been made from the conscious physical possession of the petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sanoula P.S. Case No. 43 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Court of learned 2nd Additional District and Sessions Judge cum
Special Judge of Excise, Act/concerned court, subject to the
conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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