

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48056 of 2022

Arising Out of PS. Case No.-209 Year-2021 Thana- GOPALPUR District- Bhagalpur

Mannu Mandal @ Manoj Mandal Son of Ratan Mandal Resident of Village -
Simariya, P.S.- Rangra (Gopalpur), District – Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2022 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
Gopalpur (Rangra) P.S. Case No. 209 of 2021 lodged under
Sections 25(1-b)a, 26, 35 of the Arms Act read with Section
30(a) of the Bihar Prohibition of Excise Act, 2016.

As per the prosecution case, the total recovery of 63
litres of foreign liquor was alleged to be made in this case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned
counsel further submits that the said recovery of wine has not

been made from his conscious position rather from his conscious position, only one live cartridges alleged to be recovered. Learned counsel further submits that petitioner is a man of clean antecedent and he is in custody since 17.05.2021, charge sheet has already been filed in this case. Learned counsel further submits that the person from whose possession, the country made pistol has been made, granted bail by the Co-ordinate Bench of this Court vide order dated 16.09.2022 passed in Cr. Misc. No. 38925 of 2022. Learned counsel also submits that other accused persons who were apprehended from the place of occurrence and owner of the vehicle has also been granted bail vide order dated 21.03.2022 passed in Cr. Misc. No. 12451 of 2022

Learned counsel for the State opposes the prayer for 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 Special Excise Judge 1st, Bhagalpur in connection with Gopalpur (Rangra) P.S. Case No. 209 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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