

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52488 of 2022

Arising Out of PS. Case No.-390 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

Rahul Mandal S/o Devendra Mandal Resident of Village- Unsher Baliya
Indrajeet, P.S.- Bochahan, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-10-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State
through virtual Court proceedings.

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

The petitioner seeks bail in connection with Ahiyapur
P.S. Case No. 390 of 2021 registered for the offence under
Sections 272, 273, 420, 467, 468, 471, 414, 120(B)/34 of Indian
Penal Code and under Section 30(a)/36/41 of the Bihar
Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 24.06.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there was recovery of 1869.840 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that name of petitioner surfaced on the basis of confessional statement of co-accused namely, Amodh Sah in furtherance of which no recovery of illicit liquor was made from physical possession of this petitioner which may connect him with present set of recovery of illicit liquor. It is further submitted that petitioner involved in one more case of similar nature where, he is on bail. While concluding the argument, it has been submitted that investigation of this case has been completed, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor was not made from conscious physical possession of this 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 Ahiyapur P.S. Case No. 390 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of learned Exclusive
Special Excise Court No.-1, Muzaffarpur/concerned Court,
subject to the conditions as mentioned under Section 437(3) of
the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

U		T	
---	--	---	--

