

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58059 of 2022

Arising Out of PS. Case No.-130 Year-2022 Thana- BARIYARPUR District- Munger

Jaikant Mandal, S/o Nakul Mandal, R/o village- Asha Tola (Neerpur), P.S.-
Bariyarpur, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Bariyarpur P.S. Case No. 130 of 2022
registered for the alleged offences under Sections 30(a) and
30(c) of the Bihar Prohibition and Excise Amendment Act,
2018.

As per prosecution case, police received secret
information about some miscreants manufacturing country made
mahua liquor in a forest. A raid was conducted at the identified
place and the petitioner was apprehended and two other co-
accused persons fled away from the spot. On search of the place



of the occurrence, total 150 litres of country made *mahua* liquor along with a number of implements for manufacturing of the same have been recovered and 100 litres of raw material was destroyed.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern either with the seized material or with the person who used to prepare *mahua* liquor. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is a poor farmer and is in custody since 01.08.2022 and the charge-sheet has been submitted in this case. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that no recovery has been shown from this petitioner and further considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Court Excise-1, Munger in connection with Bariyarpur P.S. Case No. 130 of



2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

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

