

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10360 of 2023

Arising Out of PS. Case No.-60 Year-2021 Thana- RATANPUR District- Supaul

Om Prakash Mandal @ Bhushan Mandal @ Om Prakash S/O Ramchandra
Mandal R/O Village- Samda, Ward No- 12, P.S- Ratanpura, District- Supaul.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, the police party on confidential information, conducted a raid and recovered 3982 kg of spirit from the filed of one Sushil Mishra.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is not named in FIR and he has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. No any incriminating article has been recovered from conscious possession of the petitioner rather his name has



transpired in this case on the basis of disclosure made by co-accused namely, Sintu Kumar who is already getting the privilege of bail granted by a co-ordinate Bench of this Court vide order dated 14.10.2022 passed in Cr. Misc. No. 44582 of 2022, hence, the case of petitioner stands on better footing of that of the co-accused. Moreover, the petitioner is languishing in judicial custody since 26.6.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ratanpura P.S. Case No. 60 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.2, Supaul.

(Sunil Kumar Panwar, J)

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