

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24293 of 2023

Arising Out of PS. Case No.-194 Year-2022 Thana- GOGRI District- Khagaria

Buddhan Mandal Son Of Brahamdeo Mandal R/V- Naya Tola Usri, P.S.-
Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. It is submitted by learned counsel for the petitioner
that the defects which are still standing on the part of the
petitioner as per office report, can be removed in course of the
day.

3. Permission is accorded.

4. Petitioner seeks regular bail in connection with
Gogari P.S. Case No. 194 of 2022 dated 29.07.2022 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

5. Regarding merit of this case, it is submitted by
learned counsel for the petitioner that the instant matter relates
to the recovery of 5 litres of *country made illicit liquor* and the



same is stated to have been recovered from a *maize* field and the petitioner was not arrested at the spot of recovery and his name surfaced in the statements of arrested co-accused persons namely Md. Mujahid and Md. Ijrail and the petitioner had no concern with the said *maize* field and moreover, in the seizure list the alleged spot of recovery has not been shown as to be of this petitioner and accordingly, there is no material to connect this petitioner to the alleged recovery. Further submissions are that against the petitioner, there are criminal antecedents of three cases but he is on bail in all the said cases and he has been languishing in jail since 14.08.2022 and against him, the investigation has been completed.

6. Per Contra, the learned APP for the State has vehemently opposed the prayer for bail.

7. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

8. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten



Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Gogari P.S. Case No. 194 of 2022.

9. The order will be pronounced after removal of all the defects as pointed out by the office.

(Shailendra Singh, J)

annu/-

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