

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.12197 of 2023**

Arising Out of PS. Case No.-636 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.  
District- East Champaran

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MANTU TIWARI @ MANTU KUMAR Son of Late Nayan Tiwari R/v-  
Tiwari Tola Sihorwa, P.S.- Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar  
For the Opposite Party/s : Mr.Kalyan Shankar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      05-05-2023                      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), 41(1)  
of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 1400  
liters unauthorized spirit which has been kept in seven drums.

Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. 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. Neither the petitioner  
was arrested on spot nor any incriminating article has been



recovered from his conscious possession. Moreover, similarly situated co-accused namely, Sanjay Ray has already been granted bail by a co-ordinate Bench of this Court vide order 24.10.2019 passed in Cr. Misc. No. 67875 of 2019 and in support of this Annexure-2 has been annexed with this petition. The petitioner is languishing in judicial custody since 13.1.2023.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise P.S. Case No. 636 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No.2, Motihari at East Champaran.

**(Sunil Kumar Panwar, J)**

Amandeep/-

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