

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14081 of 2023

Arising Out of PS. Case No.-253 Year-2022 Thana- KURSAILA District- Katihar

CHHATU MANDAL @ CHHATHU MANDAL S/O DUKHAN MANDAL
R/v- Maliniya, Ward No. 5, P.S.- Kursela, District- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Mandal

For the Opposite Party/s : Mr.Manoj Kumar

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
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, there has been recovery of
300 liters of illegal country-made liquor from Majadia near the
bank of Ganga river.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehend on spot. He
submitted that the petitioner has no concern with the seized
liquor. No incriminating article has recovered from the
conscious possession of the petitioner. The provision of Section



100 of the Cr.P.C. has not followed in this case, while preparing the seizure list. He is languishing in judicial custody since 30.12.2022.

The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum-Exclusive Excise Court No. 2, Katihar in connection with Kursaila P.S. Case No. 253 of 2022.

(Sunil Kumar Panwar, J)

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