

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16122 of 2023**

Arising Out of PS. Case No.-318 Year-2022 Thana- BIHPUR District- Bhagalpur

Manoj Mandal S/O Late Mahivir Mandal R/O Village- Gangapur, P.S- Bihpur,
District- Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Meena Singh

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

3 23-06-2023 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) Bihar Prohibition and Excise Act and Section 25(1-b)a, 35 of the Arms Act.

As per FIR, the petitioner was apprehended on the spot and from his hut total 15 liters local made liquor was recovered. It is further alleged that two country made pistols were also recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no



concern with the alleged recovery nor hut in question belongs to him. He has got no criminal antecedent. It is further submitted that the seizure list has not been prepared as per provision of Section 100 of the Cr.P.C., the petitioner is languishing in judicial custody since 15.06.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as 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 Bihpur P.S. Case No. 318 of 2022 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 Excise Judge-I, Bhagalpur.

(Sunil Kumar Panwar, J)

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