

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20155 of 2023**

Arising Out of PS. Case No.-22 Year-2022 Thana- CHANAN District- Lakhisarai

SUNDAR MANDAL @ SHYAM SUNDAR MANDAL Son of Baleshwar
Mandal R/V- Gopalpur, PS-Chanan, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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

2 19-05-2023 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) (b) (c) Bihar Prohibition and Excise Act.

As per FIR, the prosecution case relates to recovery of total 125 liters mahua liquor from a bush near Kiul river.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of disclosure of *chaukidar*. Neither the petitioner was apprehended on the spot nor any incriminating article has been recovered from his conscious possession rather illicit



liquor was recovered from an open place. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 10.05.2023 passed in Cr. Misc. No. 19853 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 09.02.2023.

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 Chanan P.S. Case No. 22 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 Additional District and Sessions Judge-4th-cum Special Excise Court-Ist, Lakhisarai.

(Sunil Kumar Panwar, J)

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