

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20909 of 2023

Arising Out of PS. Case No.-36 Year-2022 Thana- CHANAN District- Lakhisarai

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1. Sundar Mandal @ Shyam Sundar Mandal Son Of Baleshwar Mandal Resident Of Village- Gopalpur, Ps- Chanan , Distt- Lakhisarai
 2. Vinod Mandal @ Vinod Kumar Son Of Lali Mandal Resident Of Village- Gopalpur, Ps- Chanan , Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-05-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.

2. Petitioners seek regular bail in connection with Chanan P.S. Case No. 36 of 2022 dated 08.03.2022 registered for the offences punishable under Sections 30(a),(b),(c) of Bihar Prohibition and Excise Act.

3. The main submissions advanced by learned counsel for the petitioners are that the instant matter relates to the recovery of 310 litres of illicit country made liquor and the same is stated to have been recovered from a forest area and as per allegation, co-accused persons including the petitioners indulged in manufacturing of the alleged illicit liquor and from the place of recovery, huge quantity of raw materials like Jawa, Mahua, etc. were recovered but in actual, both the petitioners



have been falsely roped in this case and they were not arrested at the place of recovery which is an open area being accessible to everyone. Further submissions are that none of the witnesses, who are stated to be present at the place of recovery, has identified the petitioners and the petitioners have been languishing in jail since 07.02.2023 and against the petitioners, the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer of the petitioners.

5. Considering the above submissions and mainly the completion of the investigation against the petitioners and also the fact that as per the FIR, the petitioners are not stated to have been arrested at the place of recovery, which is stated to be an open area being accessible to everyone, in my opinion it is a fit case for bail to the petitioners. Accordingly, let both the petitioners named-above be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Chanan P.S. Case No. 36 of 2022.

(Shailendra Singh, J)

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