

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19580 of 2023

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

Shrawan Mandal @ Sharvan Mandal Son Of Late Vasudev Mandal R/O
Village- Gopalpur, P.S.- Chanan, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 09-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks 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
petitioner are that the instant matter relates to the recovery of
310 litres of country made illicit mahua liquor and the said
recovery was made from a forest area and as per allegation
5,000 litres of fermented java and other utensils used in
manufacturing of wine were also recovered from the place of
recovery but petitioner was not arrested at the spot and his name
was disclosed by local villagers and police chowkidar and he

had no concern with the place of recovery and against him there is no legal evidence and the recovery of the alleged mahua wine was not made from the conscious possession of the petitioner and he has been languishing in jail since 08.02.2023 and against him the investigation has been completed. Further submission is that against the petitioner there is criminal antecedent of one case in which he is on bail.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the completion of investigation against the petitioner and also the facts that the alleged seized mahua wine is stated to have been recovered from a forest area and the petitioner was not apprehended at the spot and his role in the alleged crime was disclosed by the gathered villagers and police chowkidar, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Chanan P.S. Case No. 36 of 2022.

(Shailendra Singh, J)

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