

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19946 of 2023

Arising Out of PS. Case No.-176 Year-2022 Thana- AMARPUR District- Banka

Jhantu Mandal @ Jhantu Kumar Mandal S/O- Prakash Mandal Resident Of
Village Hariyari P.S Poraiya Hat District Godda Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Mr. Sudhir Kr. Mishra
For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273, 302, 328/34 of the Indian Penal Code and section 33/34 of Bihar Prohibition and Excise and Amendment Act.

As per allegation in the FIR, there is an active gang of manufacturing and selling of liquor of which petitioner is also a member. It is alleged that due to consumption of the said spurious liquor, Vijay Sah died during treatment.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner is not named in the FIR. He has no concern with the liquor trade. The name of the petitioner has been



disclosed in this case by the apprehended co-accused, namely, Chhanguri Yadav and Mukesh Kumar before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any contraband liquor has been recovered from his conscious possession. He has been remanded in this case from Amarpur PS Case No. 189 of 2022. Petitioner is languishing in judicial custody since 5.01.2023.

Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of Bail.

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 District and Sessions Judge-2nd Banka in connection with Amarpur P.S. Case No. 176 of 2022.

(Sunil Kumar Panwar, J)

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