

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26692 of 2023**

Arising Out of PS. Case No.-36 Year-2023 Thana- PRANPUR District- Katihar

BIRBAL MANDAL SON OF KALA CHAND MANDAL R/O BAIGNA,  
P.S.- NAGAR, DISTRICT- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      16-05-2023                      1.      Heard learned counsel for the petitioner and  
the learned APP for the State.

2.      Petitioner seeks regular bail in connection  
with Pranpur (Rosana) P.S. Case No.36 of 2023 dated  
28.02.2023 registered for the offence(s) punishable under  
Section(s) 30(a) of the Bihar Prohibition and Excise Act.

3.      The main submissions advanced by the  
learned counsel for the petitioner are that the instant matter  
relates to the recovery of 67.500 litres of country made foreign  
liquor and the same is stated to have been recovered from a  
tempo and as per allegation this petitioner was found being  
seated in the said vehicle at the time of recovery but in fact, the  
petitioner was bonafidely travelling in the said tempo as a  
passenger and he had no knowledge about the alleged liquor and



the actual driver managed to escape and the seized vehicle does not belong to this petitioner and he has fair and clean antecedent and has been languishing in jail since 01.03.2023 and against him the investigation has been completed.

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

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and the completion of investigation against him, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Pranpur (Rosana) P.S. Case No.36 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

**(Shailendra Singh, J)**

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