

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32248 of 2023**

Arising Out of PS. Case No.-50 Year-2023 Thana- DORIGANJ District- Saran

Mantu Kumar @ Mantu Rai @ Mantu Kumar Rai, Son Of Mulki Rai @
Surendra Rai, Resident Of Vill- Pojhi ,PS Derni, Distt Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Doriganj P.S. Case No. 50 of 2023 dated 25.02.2023 registered for the offences punishable u/ss 30(a) and 41 of the Bihar Prohibition and Excise Act.

As per the prosecution case, on secret information, the petitioner and the co-accused persons were taking consignment of illicit liquor from a container truck. A raid was conducted. On seeing the police, all the accused persons taking benefit of night succeeded in fleeing away. On search, total 250.56 litres of illicit foreign liquor is said to have been recovered from the container



truck. It is alleged that the petitioner is involved in illegal business of liquor.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the petitioner is neither the driver nor the owner of the said truck. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.03.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with Doriganj P.S. Case No. 50 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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