

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40205 of 2023**

Arising Out of PS. Case No.-217 Year-2021 Thana- CHAKAI District- Jamui

Mansur Alam @ Mansoor Mallick S/O Md. Mustafa @ Mustafa Alam R/O  
Mohalla- Kankarbagh Near Tiwari Ware (WECHAR) , Patna P.S.  
Kankarbagh, Dist. Patna.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arbind Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      07-07-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Chakai  
P.S. Case No. 217 of 2021 registered for the offence under  
Sections 272, 273 of the Indian Penal Code and Sections 30(A)  
(F), 32(2), 32(3), 36, 41(1), 41(2) of the Bihar Prohibition and  
Excise Amendment Act, 2018.

The accused/petitioner is named in the F.I.R. and is in  
custody since 14.05.2023.

The allegation against the petitioner is to be engaged  
in illegal trading/manufacturing of illicit liquor, where, there is



recovery of 2720 litres of spirit from the alleged truck bearing registration no. BR1G-0497.

Learned counsel appearing on behalf of the petitioner submitted that petitioner named with present case only for the reason that he is the owner of the truck, from where the consignment of 2720 litres of spirit alleged to be recovered. It is also submitted that no spirit as alleged was recovered from the physical possession of this petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, similarly situated co-accused persons, namely, Rahim Ansari and Sunil Prasad have already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 71730 of 2021 dated 19.07.2022.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above as alleged spirit not appears to be recovered from the physical possession of this petitioner, who is the man of clean antecedent, accordingly, petitioner above named, is directed to be released on bail in connection with Chakai P.S. Case No. 217 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court-I,



Jamui/concerned Court, subject to the conditions as mentioned  
under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

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