

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43360 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- ISMAILPUR District- Bhagalpur

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BABLU MANDAL Son of Jaynarayan Mandal Resident of village -
Laxmipur Girdhar, P.S. - Akbarnagar O.P., Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Akhileshwar Dayal

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

ORAL ORDER

2 27-07-2023 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.

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

3. The petitioner has preferred this application for
grant of regular bail in connection with Ismailpur P.S. Case No.
53 of 2023 dated 05.05.2023. registered for the offence
punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, total 100 litres of illicit
liquor was recovered from the tempo and 50 litres of country-
made liquor was recovered from the motorcycle.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 21.07.2023 passed in Cr. Misc. No. 43026 of 2023. The petitioner is driver of the said motorcycle. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.05.2023.

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

7. 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, Bhagalpur in connection with Ismailpur P.S. Case No. 53 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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