

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49409 of 2023**

Arising Out of PS. Case No.-129 Year-2023 Thana- BHAWANIPUR District- Purnia

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PRAVIN MANDAL Son of Late Prem Lal Mandal Resident of village - Chay Tola Karmanchack, ward no. 01, P.S. - Balia O.P. (Bhawanipur), Distt. - Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

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

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

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

2      11-08-2023                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel appearing on behalf of the State.

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

3. The petitioner seeks bail in connection with  
  
Bhawanipur (Balua O.P.) P.S. Case No. 129 of 2023 registered  
  
for the offence under Section 30(a) of the Bihar Prohibition and  
  
Excise Act, 2016.

4. The accused/petitioner is named in the F.I.R. and is  
  
in custody since 31.05.2023.

5. The allegation against the petitioner is to be  
  
engaged in illegal trading/manufacturing of illicit liquor, where,  
  
there is recovery of 30 litres of IMFL/country made liquor from



the bicycle.

6. Learned counsel appearing on behalf of the petitioner submitted that the alleged recovered bicycle not appears to be connected in any manner with this petitioner, and as such, it can be safely said that recovery of alleged illicit liquor not appears to be made from his conscious physical possession. While concluding the argument, it is submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above as alleged recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 31.05.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Bhawanipur (Balua O.P.) P.S. Case No. 129 of 2023 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 Special Excise Judge Court



No. 2, Purnea/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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