

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2182 of 2023

Arising Out of PS. Case No.-441 Year-2022 Thana- JAGDISHPUR District- Bhojpur

Mangal Kumar @ Mangal Kumar Chaudhary Son Of Mohan Chaudhary R/V-
Saheb Tola, Bihiya, P.S- Bihiya, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Pandey

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner prayed for regular bail in connection with Jagdishpur P.S. Case No. 441 of 2022 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 300 liters mahua wine from the vehicle bearing Reg. No. WB0X-8582 thereafter this case has been lodged against five accused persons including this petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



present case merely on the basis of suspicion. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the place of occurrence rather he is languishing in judicial custody since 24.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner was arrested on the spot with the alleged vehicle where the recovery has been made.

The petitioner is directed to deposit a sum of Rs 20,000/- (Twenty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Jagdishpur P.S. Case No. 441 of 2022 on furnishing bail bond of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-I, Bhojpur at Ara.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty thousand) by the petitioner in the



account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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