

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68926 of 2022

Arising Out of PS. Case No.-327 Year-2022 Thana- PIRPAINTI District- Bhagalpur

SUBODH KUMAR @ SUBODH MANDAL, Son of Munilal Mandal,
Resident of Village - Govindpur, Mohanpur, P.S.- Pripainti, District -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Pirpainti P.S.
Case No. 327 of 2022 registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

40 litres illicit liquor has been recovered from the
motorcycle when the petitioner was moving along with a pillion rider
namely Mithlesh Mandal.

Learned counsel for the petitioner submits that petitioner
was not aware that Mithlesh Mandal was carrying liquor. He has thus
become victim of the circumstance. Withing having any antecedents,
he is in custody since 03.10.2022. Moreover, investigation is also
complete. Recovery is denied and disputed and is stated to be not in
accordance with law.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of petitioner's



implication, period of custody and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special (Excise) Judge-2nd, Bhagalpur, in connection with Pirpanti P. S. Case No. 327 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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