

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78813 of 2023

Arising Out of PS. Case No.-975 Year-2023 Thana- KAHALGAON District- Bhagalpur

MUNILAL MANDAL SON OF LATE KARU MANDAL RESIDENT OF
VILLAGE - PAKKI SARAI, P.S. - GHOGHA, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of total 125 liters of illegal country-made liquor from a bag, which was kept near the river.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the petitioner has no concern with the seized wine in question and the place of occurrence does not belong to the petitioner. No incriminating article has been recovered from the conscious possession of the



petitioner. On the basis of suspicion, he has been falsely implicated in the present case. The provision of Section 100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 21.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Kahalgaon P.S. Case No. 975 of 2023.

(Sunil Kumar Panwar, J)

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