

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5234 of 2023

Arising Out of PS. Case No.-405 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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RUDAL MANDAL S/O LATE DASHRATH MANDAL Resident of Village-
Ajmeripur, P.S.- Nathnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya
For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 30(a) of
Bihar Prohibition and Excise Act 2018.

It is a case of recovery of 10 liters country made
liquor and 40 liters raw material for preparation of wine
from the hut of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to village politics.
Petitioner has no concern with the alleged recovered
material. Seizure list has been prepared without independent



witness which does not follow Section 100 of the Cr.P.C. It is further submitted that nothing incriminating article has been recovered from his conscious possession. He has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 18.08.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 Excise P.S. Case No. 405 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Bhagalpur.

(Sunil Kumar Panwar, J)

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