

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78231 of 2023

Arising Out of PS. Case No.-202 Year-2023 Thana- HALSI District- Lakhisarai

Vikash Mandal S/O Late Nameshwar Mandal @ Nuneshwar Mandal R/O
Village- Mohiuddin Nagar, P.S- Halsi, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

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

2. The petitioner seeks bail in connection with Halsi
P.S. case No. 202 of 2023 instituted for the offences under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution allegation, in short, as per FIR, is that
total 5 litres country-made *mahua* wine was recovered from
outside the house of the petitioner.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 03.08.2023 and has four
criminal antecedents but he is on bail in all the cases. The
petitioner has falsely been implicated in the present case.
Nothing has been recovered from the conscious possession of



the petitioner. Petitioner has no concern with the alleged recovery. He further submitted that from perusal of the FIR, it appears that recovery of the liquor was made from outside the house of the petitioner, whereas as per the seizure list, the same has been shown to be recovered from the house of the petitioner. Moreover, there is no signature of this petitioner on the seizure list.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Halsi P.S. case No. 202 of 2023.

(Rudra Prakash Mishra, J)

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