

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29559 of 2024

Arising Out of PS. Case No.-340 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

Mantu Roy Son of Devendra Ray Resident of Village- Gamhari, P.S.-
Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harshvardhan Shivsundaram

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a)/41 of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 1200 liters of spirit from house of co-accused Bhola Prasad who was identified by local chaukidar.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He is not named in the FIR. His name was transpired in this case on the basis of confessional statement of co-accused Bhola Prasad. Neither the petitioner was apprehended on spot nor any incriminating article has been



recovered from his conscious possession. He has no concern with the alleged recovery of illicit spirit. Moreover, the petitioner is languishing in judicial custody since 9.12.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Baikunthpur P.S. Case No. 340 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 Additional Sessions Judge-XIII-cum-Special Excise-I, Gopalganj.

(Sunil Kumar Panwar, J)

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