

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39071 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- Ghogha District- Bhagalpur

1. Jyotish Mandal Son of Late Bhola Mandal Resident of village - Pakkisarai, P.S.- Ghogha, District - Bhagalpur.
2. Munna Mandal @ Munilal Mandal Son of Late Karu Mandal Resident of village - Pakkisarai, P.S.- Ghogha, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 03-07-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Ghogha P.S. Case No. 38 of 2024 dated 12.04.2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 92 litres of illicit country made liquor was recovered from two sacks which were thrown by the petitioners.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. They have no concern with the alleged recovery. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. The petitioner no. 1 has one criminal antecedent and petitioner no. 2 has two criminal antecedents and they are on bail in that cases as stated in para 3 of the bail petition. The petitioners are in judicial custody since 12.04.2023 and 19.04.2024 respectively.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with Ghogha P.S. Case No. 38 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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