

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53542 of 2024

Arising Out of PS. Case No.-58 Year-2021 Thana- KHUTAUNA District- Madhubani

Suryanarayan Mandal @ Suraj Narayan Mandal S/O Ram Swarup Mandal
R/O Village -khushiypatti, P.S- Khutauna, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Thakur, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Khutauna P.S. Case No. 58 of 2021 dated 03.05.2021, lodged
under Sections 272, 273 of the Indian Penal Code read with
section 30(a) of the Bihar Prohibition and Excise Act. 2016.

3. As per the prosecution case, FIR has been lodged
against three named accused persons including the present
petitioner. Total 663 litres of illicit liquor has been recovered
which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that from the seizure list, it transpires that the said



recovery has been made from the orchard of Bale Yadav and nothing incriminating has been recovered from the petitioner's possession. Counsel submits that the name of the petitioner has been figured in this case only due to the reason that his criminal antecedent is not clean. Counsel further submits that the criminal antecedent of the petitioner is not clean and there are two criminal cases pending against him in which in one case, he is on bail and in one case, he is persuading for bail. The petitioner is in custody since 22.02.2024 in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the petitioner above named be granted bail, but only after framing of charge, if not framed as well as on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are mentioned below, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Khutauna P.S. Case No. 58 of 2021, subject to the conditions as laid down U/s 437(3) Cr.P.C.

7. Pending cases against the petitioner are as follows:-



(I)- Khutauna P.S. Case No. 83 of 2019.

(II)- Dagarua P.S. Case No. 246 of 2020.

Divyansh/-

(Dr. Anshuman, J)

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