

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74685 of 2024

Arising Out of PS. Case No.-23 Year-2022 Thana- SISWAN District- Siwan

Mantu Bin Son of Rajendra Bin Resident of Village- Gangpur, Siswan, P.S. -
Siswan, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273 of the Indian Penal Code and Section 30(a), 38(B) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 100 litres of country made liquor from backyard of the house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. Nothing



incriminating has been recovered from the conscious possession of the petitioner. Proper procedure of search and seizure has not been followed in this case. Moreover, he is languishing in judicial custody since 03.09.2024. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. Learned APP appearing for the State has 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Court NO. II, Siwan in connection with Siswan P.S. Case No. 23 of 2022.

(S. B. Pd. Singh, J)

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