

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83876 of 2024

Arising Out of PS. Case No.-158 Year-2024 Thana- KATIHAR MUFFASIL District- Katihar

Rajesh Mandal @ Rajesh Kumar Mandal Son of Gayeshwar Mandal R/O
Mohalla- Tajganj Fasiya, P.S.- Katihar (Muffassil), District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

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

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

ORAL ORDER

2 09-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Katihar
(Muffassil) PS Case No. 158 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 80 litres
of country made liquor was recovered from Toto.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted
that other co-accused (Bablu Kumar Choudhary) disclosed the
name of the petitioner. It is also submitted that seized Toto does



not belong to the petitioner. The petitioner is in custody since 05.10.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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 and 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Katihar (Muffassil) PS Case No. 158 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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