

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.855 of 2024

Arising Out of PS. Case No.-556 Year-2023 Thana- SABAUR District- Bhagalpur

Wakil Mandal Son Of Late Shanichar Mandal R/O Village- Farka, P.S.-
Sabour, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ambrish Kumar Jha
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Sabour P.S. Case No. 556 of 2023 registered under section 414 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 17 liters of illicit liquor from a motorcycle and the petitioner was arrested by the police on spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that



nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern with the seized illicit liquor. There is no independent witness of the seizure list. Moreover, the petitioner is languishing in judicial custody since 11.10.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 5,000/- (Rs. Five Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sabour P.S. Case No. 556 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-12th cum Special Judge Excise-II, Bhagalpur.

The bail bonds of the petitioner shall be accepted by



the learned lower Court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five Thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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