

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7382 of 2025

Arising Out of PS. Case No.-295 Year-2020 Thana- SABAUR District- Bhagalpur

Subhash Mandal Son of Late Vimal Mandal Resident of Derar, P.S.-
Dhoraiya, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. Altogether 118.5 litres of country made liquor has been recovered from the seized tempo.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner or from his house. He has no concern either with the seized liquor or any trade of liquor or the seized tempo. His name has been transpired in the present case merely on the basis of the confessional statement of the



apprehended co-accused. He has been languishing in custody since 22.11.2024. He has no criminal antecedent as mentioned in para 3 of the bail application.

5. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, Patna, bearing Account No.7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Sabour (Goradih) P.S. Case No.295 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in



any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the Lawyer's Association Welfare Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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