

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87505 of 2024

Arising Out of PS. Case No.-578 Year-2024 Thana- MASHRAK District- Saran

Mantu Singh @ Sikandar Singh S/o- Late Siyasankar Singh Village- Bali
Bishunpur, P.O- Banshoi, P.S- Mashrakh, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 24-03-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mashrakh P.S. Case No. 578/2024 dated 16.10.2024 registered for the offences punishable u/ss 30(a), 33, 34(a)(b), 37(a)(b), 47 of the Bihar Prohibition and Excise Act and Sections 123, 105, 110, 61(2) read with Section 3(5) of the B.N.S.

3. As per the prosecution case, on 16.10.2024, the informant received information that several persons got ill due to consumption of spurious liquor which was purchased from the co-accused, Rajnikant Kumar and Rudal Paswan. One person namely, Islamuddin Ansari was died due to consumption of such liquor. Upon further investigation, it was come to the knowledge of the



informant that the co-accused, Rajnikant Kumar and Rudal Paswan and Chotu Manjhi do the business of illicit liquor and they supplied liquor to other co-accused, Ravindra Sha, Motilal Ram and Prabhunath Ram and others. Upon search of the house of the Ravindra Sha, 2 litres of spirit was recovered. From the house of Motilal Ram, 2.5 litres of spirit was recovered. From general store of Chotu Manjhi, 2 litres of spirit was recovered. It is further alleged that the co-accused persons Rajnikant Kumar and Rudal Paswan in their confessional statement has stated that they brought 50 litres of spirit from the brick chimney kiln of the petitioner and distribute it to different places.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused, Rajnikant Kumar and Rudal Paswan. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. Learned counsel has further submitted that the petitioner has been remanded in this case from Bhagwanpur Hat (Siwan) P.S. Case No. 412 of 2024. The co-accused person has already been granted regular bail by this court vide order dated 17.02.2024 passed in Cr. Misc. No. 88367 of 2024. The petitioner has four criminal antecedents as stated in para 3 of the bail petition. The petitioner



is in custody since 19.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is involved in the business of illicit liquor.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with Mashrakh P.S. Case No. 578/2024 with the conditions:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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