

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3932 of 2025

Arising Out of PS. Case No.-356 Year-2024 Thana- SABAUR District- Bhagalpur

Michael D Souza @ Raj Kumar Mandal S/O Sukhdeo Mandal R/O Vill.-
Maheshpur Aliganj, P.S.- Babarganj, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar

For the Opposite Party/s : Mr.Upendra Kumar

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

ORAL ORDER

2 25-02-2025 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 Sabour P.S. Case No. 356/2024, Special Excise Case No. 3791/2024 dated 10.10.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 65.25 litres of illicit foreign liquor was recovered from the Sumo Victa. On search of the petitioner, a mobile phone and Rs. 1020/- were recovered, a mobile phone and Rs. 500/- were recovered from the possession of the co-accused Rakesh Kumar and a mobile phone was recovered from the possession of the co-accused



Arvind Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has four antecedents out of which he is on bail in three cases and he is acquitted in one case as stated in para 3 of the bail petition. The petitioner is in custody since 10.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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, Bhagalpur in connection with Sabour P.S. Case No. 356/2024, Special Excise Case No. 3791/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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