

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 56589 of 2017

Arising Out of PS. Case No.-83 Year-2017 Thana- Laukahi District- Madhubani

Shibu Mandal S/o Late Chhedi Mandal R/o Village- Thadhi, P.S.- Laukahi,
District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 04-12-2017 Heard Sri Arvind Kumar, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 17-05-2017 in
Laukahi P.S. Case No. 83 of 2017 registered for offence under
Sections 272, 273/34 of the Indian Penal Code and Sections 30
(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for
grant of bail.

It was submitted by learned counsel for the petitioner that
petitioner is in custody on accusation of carrying Nepali
country-made liquor. By way of referring to F.I.R., learned
counsel for the petitioner submits that in the case, police had
seen three accused persons carrying country-made liquor on
three bicycles, however; after seeing the police, other two
accused persons fled away, whereas, the petitioner was



apprehended. It has been argued that from the bicycle of the petitioner, only 7.2 liter of country-made liquor was shown to be recovered, but in the seizure list or in the F.I.R., nothing has been indicated as to what quantity was recovered from each bicycle. Total recovery of 225 liters has been shown. Learned counsel for the petitioner submits that petitioner is having clean antecedent, which fact has been stated in paragraph – 3 of the petition.

Considering the nature of accusation, clean antecedent as well as period of custody, let the petitioner namely Shibu Mandal be released on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge - II cum Special Judge, Excise Act, Madhubani in connection with Laukahi P.S. Case No. 83 of 2017.

(Rakesh Kumar, J.)

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