

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.59376 of 2017**

Arising Out of PS.Case No. -173 Year- 2017 Thana -RAJNAGAR District- MADHUBANI

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Raja Ram Mandal, Son of Late Laxmi Mandal, resident of Village- J.P. Colony, Ward No. 14, P.S.- Madhubani, District- Madhubani.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Smt. Indu Bala Pandey

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      22-12-2017                      Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner seeks regular bail in connection with Rajnagar P.S.Case No.173 of 2017 corresponding to G.R.No.408/17 instituted for the offence under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act,2016.

The allegation is regarding recovery of 1090.875 litres of illicit country made wine from the possession of co-accused Mahakant Yadav.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case inasmuch



as neither he is owner of the premises nor he has anything to do with the recovery, and, in fact, no recovery has been made from the conscious possession of the petitioner. It is further submitted that the petitioner is languishing in jail custody since 23.09.2017.

From perusal of the paragraph 3 of the petition it appears that the petitioner is accused in nine other cases. However, he is stated to be on bail in all the cases.

Considering the nature of accusation and the period of `custody already undergone and the fact that neither the recovery has been made from the person of the petitioner nor from the premises of the petitioner, I deem fit to enlarge the petitioner on regular bail. I direct the petitioner, named above, to be released on regular bail on furnishing bail bond of Rs.1,00,000/- with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-Cum- Special Judge (Excise) Act, Madhubani, in Rajnagar P.S. Case No.173 of 2017(G.R. No.408/17). It is further directed that the petitioner would mark attendance at 10.30 A.M. on each Monday of the week before the Officer-in-Charge of the Police Station, and in the event of two consecutive defaults, the present privilege of bail shall stand cancelled automatically and the petitioner would be taken into



custody forthwith.

**(Mohit Kumar Shah, J)**

AnilKrSinha/-

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