

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8085 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -BARACHATTI District- GAYA

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1. Satendra Kumar Mandal Son of Balchand Bhuiyan, Resident of Village-Bhaga Bandh, P.S. Putaki, District-Dhanbad (Jharkhand). At Present Resident of Village-Shri Rampur, P.S.-Sherghati, District-Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 15-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Barachatti P.S. Case No. 22 of 2018 registered under Section 30 (a), 38 & 47 of the Bihar Prohibition and Excise Act, 2016.

360 liters of country made liquor kept in the gunny bag was recovered from a Tata Sumo vehicle and its driver, namely, Satyendra Kumar Mandal (Petitioner) and one Naresh Sao were apprehended on the spot.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner happens



to be driver of the aforesaid vehicle which was hired by Naresh Sao for transporting the gunny bags and petitioner was transporting the same without any knowledge of keeping the said liquor in the bag. He has been falsely implicated in this case. He has no criminal antecedent. He has been languishing in custody since 10.01.2018. .

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Gaya in connection with Barachatti P.S. Case No. 22 of 2018.

(Prakash Chandra Jaiswal, J)

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