

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36418 of 2018

Arising Out of PS. Case No.-79 Year-2018 Thana- KURSAKANTA District- Araria

Shiv Narayan Kumar Mandal @ Shiv Narayan Mandal, Son of Saldeo Mandal, Resident of Village- Gararia, Police Station- Rangeeli, District- Morang (Nepal).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha

For the Opposite Party/s : Md. Sufiyan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 19-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Kursakanta (Kuwari) P.S. Case No. 79 of 2018 registered under Section 30(a) of the Bihar Prohibition and Excise Act-2016.

30 lts. of Nepali wine is said to have been recovered from motorcycle of the petitioner and he was apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern with the seized liquor. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from his possession. Seizure list does not bear the signature of



the petitioner. He has no criminal antecedent. He has been languishing in custody since 20.04.2018.

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 Additional Sessions Judge-II-cum-Special Judge (Excise), Araria in connection with Kursakanta (Kuwari) P.S. Case No. 79 of 2018.

(Prakash Chandra Jaiswal, J)

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