

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42674 of 2018

Arising Out of PS.Case No. -72 Year- 2017 Thana -GHOGHARDIHA District- MADHUBANI

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Anil Kumar Mandal @ Anil Mandal, Son of Sri Harikant Mandal @ Hari Kant Mandal, Resident of village – Dighiya Tol, P.S.-Ghoghardiha, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti
Smt. Nitu Kumar No.7

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 16-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 272, 273 and 290 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

6.600 litres of Nepali liquor is said to have been recovered from Krishna Hotel and the petitioner and one other accused namely Kamlesh Kumar Mandal were apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or with the hotel in question. He has



been falsely implicated in the case by the police merely on suspicion. The petitioner happens to be labourer and was working in the said hotel on daily wages and he had no knowledge of keeping of the liquor in the said hotel. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 29.05.2015.

Considering the facts aforesaid, 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 Addl. District and Sessions Judge-II cum Special Judge, Excise, Madhubani in connection with Ghogharidha P.S. Case No. 72 of 2017, G.R. No. 328 of 2017.

(Prakash Chandra Jaiswal, J)

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