

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53765 of 2018

Arising Out of PS.Case No. -29 Year- 2018 Thana -ISMALPUR District- BHAGALPUR

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Mukesh Mandal, Son of Shiv Charan Mandal, Resident of Village-
Lakshmipur Nij Tola, P.S.- Isamilepur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Yogendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 30-08-2018 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 Section 30(a) 38 (i) of the Bihar
Prohibition and Excise Act, 2016.

33 litres foreign liquor and 14 litres of country made
liquor are said to have been recovered from the Wasa/ Bathan of
petitioner and the petitioner was 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
with the seized liquor. He has been falsely implicated in this case
at the instance of his enemy. The place of recovery is open place



and easily accessible to anyone. He had no knowledge of keeping the liquor there. He has no criminal antecedent. He has been languishing in custody since 15.07.2018.

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 Additional District and Session Judge, 2nd Cum Special Judge Excise, Bhagalpur in connection with Ismailpur (Naugachia) P.S. Case No. 29 of 2018.

(Prakash Chandra Jaiswal, J)

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