

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67001 of 2018

Arising Out of PS. Case No.-49 Year-2018 Thana- JOGBANI District- Araria

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Rakesh Mandal S/o Kamal Mandal Resident of Village-Goriyare Bhag
Kohalia P.S. Forbesganj, Distt.-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Special Case No. 291 of 2018**
arising out of Jogbani P.S. Case No. 49 of 2018 registered for
the offence punishable under Section 30(a)/38(i) of the Bihar
Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of
125.25 Litres of illicit liquor.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case.
Similarly, situated co-accused person has been granted bail by a
co-ordinate bench of this Court vide order dated 17.04.2018 in
Criminal Miscellaneous No. 22072 of 2018. Petitioner has got
no criminal antecedent and is in custody since 15.09.2018.

Considering the aforesaid facts and circumstances of



the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **2nd Additional Sessions Judge, Special Judge, Araria**, in connection with **Special Case No. 291 of 2018 arising out of Jogbani P.S. Case No. 49 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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