

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68035 of 2018

Arising Out of PS. Case No.-100 Year-2018 Thana- JOGBANI District- Araria

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Lalan Mandal, S/O Late Chandranand Mandal, R/V- Bhag Kohaliya, P.S.
Forbesganj, District-Araria.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 38(a) and 38(i) of Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 18 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. It is alleged that total 18 liters wine is
recovered from the Motorcycle in question. The said Motorcycle
in question does not belong to the petitioner. The name of the
petitioner has come in the present case on the basis of disclosure



made by co-accused Mannu Mandal. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Araria, in connection with Jogbani P.S. Case No. 100 of 2018, corresponding to Special Case No. 501 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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