

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5179 of 2018

Arising Out of PS.Case No. -326 Year- 2017 Thana -RUPASPUR District- PATNA

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1. Kapil Dev Mandal @ Kapil Mandal, Son of Sakaldeep Mandal, Resident of Mohalla- Jagatpura P.S.- Tetiya Bazar, District Munger at present Mohalla Naya Tola, P.S.- Danapur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jain

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 02-02-2018 Heard both sides.

The petitioner apprehends his arrest in connection with Special Case No.6141 of 2017 arising out of Rupaspur P.S. Case No.326 of 2017) registered under Section 279 of the Indian Penal Code and under Section 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

The police near RPS Chowk apprehended one person who was inebriated condition. The apprehended accused disclosed his name, Manoj Ram, resident of RPS More, near Pani Tanki P.S.- Rupaspur and after examination by breath analyzer, it was found that he has taken wine. The police also intercepted a vehicle near RPS More but the pillion rider fled away. The apprehended



accused who was driving the vehicle namely, Shamser Singh disclosed the name of the petitioner who fled away from the place.

The learned counsel for the petitioner submits that petitioner was not arrested on the spot and petitioner had not taken any wine.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt / production of a copy of this order 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 learned Special Judge, Excise, Patna in connection with Special Case No.6141 of 2017 arising out of Rupaspur P.S. Case No.326 of 2017), subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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