

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23057 of 2018

Arising Out of PS. Case No.-338 Year-2017 Thana- SABAUR District- Bhagalpur

Umakant Mandal Son of Late Chun Chun Mandal Resident of Village
Mamalkha, P.S. Sabour, District Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh
For the Opposite Party/s : Mr. Dashrath Mehta

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

ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Sabour
P.S. Case no. 338 of 2017 registered under Sections 273 of
I.P.C. and Section 30(a) of Bihar Prohibition & Excise Act-
2016.

25 lts. of country made liquor is said to have been
recovered from near the well located adjacent to the house of
the petitioner and one co-accused namely, Ajnabi Kumar was
apprehended, who disclosed the name of the petitioner to be
owner of the said liquor.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious



physical possession of the petitioner. He has no concern either with the seized liquor or with the place of recovery. He was not apprehended on the spot. He has been falsely implicated in the case by co-accused Ajnabi Kumar due to animosity. Though, one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 25.01.2018. The charge-sheet in the case has already been submitted.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bhagalpur in connection with Sabour P.S. Case no. 338 of 2017.

(Prakash Chandra Jaiswal, J)

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