

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12982 of 2018

Arising Out of PS.Case No. -96 Year- 2017 Thana -HATHAURI District- SAMASTIPUR

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Mukesh Mandal @ Mukesh Mahto @ Mukesh Kumar Mandal, Son of
Jamun Mandal @ Jamun Mahto, Resident of village Dhobupur Bainsara,
Police station- Hayaghat, District- Darbhanga but wrongly mentioned in
format of F.I.R. P.S. Hatwari, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP.

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

ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Hathauri P.S. Case No.
96 of 2017 registered under Sections 272, 273, 467, 468 and 471
of the Indian Penal Code and Sections 38, 47 and 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Sizeable quantity of liquor is said to have been
recovered from three vehicles and six accused persons were
apprehended and one of the co-accused, namely, Sanjeev Kumar
Yadav disclosed the name of the petitioner as trader of the said
liquor.

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 been falsely implicated in the case by the co-accused Sanjeev Kumar Yadav due to animosity. He was neither apprehended on the spot nor has any concern either with the seized liquor or with the aforesaid vehicles or with the said accused. He has no concern with any business of liquor. He has no criminal antecedent. He has been languishing in custody since 11.01.2018. Similarly situated co-accused, namely, Sanjeet Paswan @ Sanjeev Paswan has been enlarged on bail by this court vide order dated 12.02.2018 passed in Cr. Misc. No. 7101 of 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 Sessions Judge 6th cum Special Judge, Excise Act, Samastipur in connection with Hathauri P.S. Case No. 96 of 2017.

(Prakash Chandra Jaiswal, J)

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