

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11939 of 2018

Arising Out of PS.Case No. -14 Year- 2018 Thana -BHAGALPUR KOTWALI District -
BHAGALPUR

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1. Pappu Mandal, Son of Sahdeo Mandal.
2. Mitan Mandal, Son of Basudeo Mandal, Both Resident of Mohalla-
Sachchidanand Nagar, P.S.- Tilkamanjhi, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2018 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Kotwali (Tilkamanjhi) PS case no. 14 of 2018
registered for the offences punishable under Sections 30(a)/ 38(2) of
Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 135 ltrs. of illicit
liquor from the vehicle of one Bhola Mandal.

The learned counsel for the petitioners submits that
neither any recovery has been made from the conscious possession of
the petitioners nor the said vehicle belongs to the petitioners herein. It
is further submitted that the petitioners have clean antecedents.



Considering the nature of accusation and the fact that prima facie, no case is made out under the provisions of the Excise Act, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of 4th Additional Sessions Judge-cum-Special Judge (Excise) Bhagalpur in connection with Kotwali (Tilkamanjhi) PS case no. 14 of 2018 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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