

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14418 of 2018

Arising Out of PS.Case No. -127 Year- 2017 Thana -BHAGWANPUR District- BEGUSARAI

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1. Mangal Kumar S/o Sikandar Rai, R/o Village- Pasopur, P.S.-
Bhagwanpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
04.01.2018 in connection with Bhagwanpur P.S. Case No.
127/2017 for offences punishable under Sections 30, 30(a) 37(b)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on a secret tip off that a truck containing huge
consignment of illicit liquor is being unloaded near the brickkiln,
the police reached there and apprehended three persons whereas
about 7-8 managed to flee away, who were named by the
apprehended accused in which the name of the petitioner also
figured. 570 litres of illicit liquor was also recovered and
accordingly, a seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, is a poor labourer and had nothing to do with the illicit liquor. Petitioner is ready to cooperate with the investigation, provide all necessary information and undertakes not to tamper with the evidence or prosecution witnesses. It is also submitted that three of the co-accused apprehended by the police have been granted privilege of bail by coordinate Benches of this Court in Cr. Misc. No. 55438 of 2017 vide order dated 17.11.2017 and Cr. Misc. No. 2422 of 2018 vide order dated 23.01.2018 and that the petitioner was not even apprehended on the spot.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 Act), Begusarai, in connection with Bhagwanpur P.S. Case No. 127/2017.

(Nilu Agrawal, J)

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