

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26776 of 2018

Arising Out of PS. Case No.-356 Year-2017 Thana- SABAUR District- Bhagalpur

Kamdeo Mandal S/o Late Brij Lal Mandal, R/o Vill.- Mamalakhya, P.S.-
Sabour, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP 230

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

ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with
Sabour P.S. Case No. 356 of 2017 registered under Section 273
and Section 30(A) of the Bihar Prohibition and Excise Act,
2016.

126 liters of country made liquor kept in three bags
in the pond located adjacent to the house of the petitioner is said
to have been recovered and the petitioner was apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious possession of the petitioner. He has no concern either
with the seized liquor or place of recovery. He has been falsely



implicated in the case at the instance of his enemies and there is violation of Section 100 of the Criminal Procedure Code. He has no criminal antecedent. He has been languishing in custody since 08.02.2018.

Considering the facts, aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Sabour P.S. Case No. 356 of 2017 to the satisfaction of the Special Judge, Excise Act, Bhagalpur.

(Prakash Chandra Jaiswal, J)

Shamshad/-

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