

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43141 of 2018

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Mayank Pandey, son of late Dharendra Pandey Resident of Lakhanpar, P.S.
Punpun, Dist. Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satrudhan Kumar, Adv.

For the Opposite Party : Mr. Panchanand Pandit. APP-115

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

2 18-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 224, 323, 341, 353, 427 and 504 of the Indian Penal Code and Section 37 (b) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, the police apprehended two accused persons indulged in vending liquor in Nuri Chank Dalit Tola and to get them freed petitioner along with 60 persons including the ladies indulged into scuffling and also slated the police party. They got one of the accused released from the custody of the police and also damaged the glass pan of the police vehicle by hurling bricks.

It is submitted by learned counsel for the petitioner that



no incriminating article has been recovered from the conscious physical possession of the petitioner. No such occurrence as alleged ever took place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. No one had sustained injury in the occurrence. Petitioner was not apprehended on the spot. He has been falsely implicated in this case at the instance of his enemy. He happens to be member of the mob. Though two criminal cases have been lodged against the petitioner but he is on bail in the aforesaid cases. He has been languishing in custody since 23.05.2018.

In the facts and circumstances of the case, 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 Special Judge Excise, Patna in connection with Punpun P.S. Case No. 77 of 2018.

(Prakash Chandra Jaiswal, J)

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