

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55575 of 2018

Arising Out of PS. Case No.-292 Year-2018 Thana- PUPRI District- Sitamarhi

Uday Mandal S/o Kishun Mandal, R/o vill.- Dumharpatti, P.S.- Pupri,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Smt. Asha Devi

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks Anticipatory bail in connection with Pupri P.S. Case No. 292 of 2018 registered under Sections 272, 273, 279, 337, 338, 414 of the Indian Penal Code and Section 30(a), 38, 41 of the Bihar Prohibition & Excise Act, 2016.

Allegation in the FIR is that the informant who is the S.I. of police, while he was on patrolling duty, found two miscreants coming from Dumharpatti village. On seeing the police, they tried to flee away, police chased and apprehended one motorcycle on which two persons were sitting fled away. On interrogation name of the persons who fled away was disclosed as Lav Kumar and Uday Kumar (petitioner). Police



also recovered 14.400 litres of Nepali Saufi Wine from the apprehended accused.

It has been submitted on behalf of the petitioner that petitioner has been falsely implicated in this case only on suspicion. It has been further submitted that said liquor was recovered at National High Way, which is far from the house of the petitioner but only on suspicion the name of petitioner has come in this case. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of A.D.J.-II cum Special Judge, Excise Act, Sitamarhi, in connection with Pupri P.S. Case No. 292 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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