

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69265 of 2018

Arising Out of PS. Case No.-151 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

Sonu Mandal @ Sonu Kumar S/o Ratan Mahto, resident of Ward No. 36,
Belwaganj, Behind Light House, Balbhadrapur, P.S.- Laheriasarai, District-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-11-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section 414 of the I.P.C. and 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 37 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
name of the petitioner has come on the disclosure of co-accused
Ashutosh Kumar Jha, Sonu Kumar Jha and Suman Kumar.
Except for this, there is no other substantive evidence to suggest



the implication of the petitioner in this case. It is alleged that 37 liters wine is recovered from the house of co-accused Ashutosh Kumar Jha. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge IV-cum-Special Judge, Darbhanga in connection with G.O. Excise case No.288 of 2018 arising out of Laheriasarai P.S. case No.151 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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