

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67103 of 2018

Arising Out of PS. Case No.-243 Year-2018 Thana- JOGBANI District- Araria

Ashok Mandal Son of Late Shri Kuldeep Mandal, Resident of Village-Kalhwa
Bajjnathpur, P.S.-Jogbani, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with
Special Case No.1062 of 2018 arising out of Jogbani (Bathnaha)
P.S.Caase No.243 of 2018 registered for offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2016.

Allegation against the petitioner is about recovery
of 31.05 ltrs. of nepali liquor from the possession of the
petitioner.

Submission of the learned counsel for the petitioner is
that he has been falsely implicated int his case, having no
criminal antecedent and the is in custody for about 2 ½ months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts



and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum- Special Judge, Araria in connection with Jogbani (Bathnaha) P.S.case No.243 of 2018.

With following conditions :

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

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(Vinod Kumar Sinha, J)

