

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58016 of 2018

Arising Out of PS. Case No.-603 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Supaul

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Vijay Kumar Mandal Son of Prabhu Mandal Resident of Village Tumha,
Police Station - Pipra, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Misc. Excise
No. 603 of 2018 for offences punishable under Sections 30(a) of
Bihar Excise (Amendment) Act, 2016.

The prosecution case, as lodged by the Excise
officials, is that on secret information that some persons are
carrying illicit liquor in the motorcycle, the motorcycle was
intercepted, petitioner was apprehended while another co-
accused Subhash Kumar Sah managed to flee away. From the
bags tied with the motorcycle, 45 litres of Nepali country made
wine was recovered.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his conscious possession and he has been implicated only on suspicion.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, and that the petitioner was not the only one in the motorcycle as one other named accused has been found who managed to flee away, as is evident from the complaint, let petitioner, above named, 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 learned Addl. District and Sessions Judge-II-cum-Special Judge (Excise), Supaul, in connection with Misc. Excise No. 603 of 2018, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/Pragya

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