

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48870 of 2018

Arising Out of PS.Case No. -34 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District -
BHAGALPUR

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1. Ajay Mandal S/o Bikkur Mandal, R/o Vill.- Surmaniya, P.S.- Amdanda,
District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 09-08-2018 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 47 (A) and (F) of the Excise Act.

15 liters of country made liquor, one brewing machine and
150 kg. Jawa Mahua which was destroyed during course of
excavating are said to have been recovered from the house of the
petitioner and petitioner managed to escape.

It is submitted by learned counsel for the petitioner that no
incriminating article has been recovered from the conscious
physical possession of the petitioner. He has no concern either
with the seized article or any trade of brewing liquor. He has been



falsely implicated in this case at the instance of his enemy. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said article in the house. He has no criminal antecedent and has been languishing in custody since 14.06.2018.

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 Second Additional District and Sessions Judge-cum-Special Judge, Bhagalpur, in connection with Prosecution Report bearing P.S. Excise No. 34 of 2014.

(Prakash Chandra Jaiswal, J)

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