

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36809 of 2018

Arising Out of PS. Case No.-97 Year-2018 Thana- KURSAKANTA District- Araria

Krityanand Mandal Son of Late Dhup Lal Mandal, resident of Village- Biri Dak Bangla, Tarauna, Bhojpur, Madanpur, Police Station- Tarabari, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Raj Kumar

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-06-2018 Heard Sri Raj Kumar, learned counsel for the petitioner and learned Additional Public Prosecutor.

The sole petitioner, having clean antecedent, which fact has been stated in paragraph no. 3 of the petition , apprehending his arrest in connection with Spl. Case No. 558 of 2018 [arising out of Kursakanta (Kuwari) P.S. Case No. 97 of 2018], registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

Learned counsel for the petitioner submits that in this case petitioner has been made accused on disclosure made by the co -accused that too before Police. He submits that one accused namely Vinay Mandal was apprehended while he was



moving on motorcycle carrying 9 liters of Nepali Saufi wine and from his mouth it was extracted as if he was going to supply the said material to the petitioner. It has been argued that save and except the statement of co-accused, there is no other material to connect the petitioner in the present case.

Considering the nature of accusation and clean antecedent of petitioner as well as the fact that petitioner's name has come in confessional statement of co-accused, in the event of his arrest or surrender within a period of six weeks from today, let petitioner Krityanand Mandal be enlarged 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 learned 2nd Addl. Sessions Judge, Araria / concerned court in connection with Spl. Case No. 558 of 2018 [arising out of Kursakanta (Kuwari) P.S. Case No. 97 of 2018] subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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