

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7475 of 2019

Arising Out of PS. Case No.-229 Year-2018 Thana- KURSAILA District- Katihar

Chhathu Mandal @ Chathu Mandal @ Chhotu Mandal @ Chattu Mandal
Jeetan Mandal R/o village- Kamla Kanhi, P.S- Kursela, District- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Kanhaiya Kishore (App 100)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-02-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 29.12.2018 in connection with Kursela P.S. Case No. 229 of 2018 for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police personnel is that on secret information the police raided the house of the petitioner and recovered 20 liters of Mahua wine. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He further submits that nothing has been recovered from the conscious



possession of the petitioner. He further submits that signature of the accused has not been taken on the seizure list which is violation under Section 100 of the Cr.P.C.

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

Considering the facts and circumstances of the case and nature of allegation, let the 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 the learned Additional Sessions Judge-II-cum-Special Judge, Katihar in connection with Kursela P.S. Case No. 229 of 2018.

(Nilu Agrawal, J)

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