

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8947 of 2019

Arising Out of PS. Case No.-168 Year-2018 Thana- PHULPARAS District- Madhubani

ASHA RAM MANDAL Son of Janak Mandal Resident of Village - Khusiyal
Patti, P.S.Khutauna, Distt.-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-03-2019 Heard the parties.

The petitioner seeks bail in Phulparas P.S.Case No.168/18 vide G.R. No.1129/18 registered under Sections 272, 273, 34 of the I.P.C. and Section 30(a)(d) of the Bihar Prohibition and Excise Act.

The allegation is of recovery of 752 litres 220 ml. of foreign made Indian liquor from Bolero Pick Up Van. Further allegation is that on seeing the police people assembled tried to flee away. However, two of them were apprehended by the police and one of the apprehended accused disclosed the name of the petitioner.

It has been submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. He was apprehended on the spot. He has been



made accused in this case on the basis of confessional statement of accused Arun Purve who has already been granted bail vide Annexure-2 and accused Sanjay Kamat and Kashindra Kamat who were apprehended on the spot have already been granted bail vide Annexure-3.

Considering the facts and circumstances of the case, as stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of A.D.J.-II-cum-Special Judge, Excise Act, Madhubani, in Phulparas P.S.Case No.168 of 2018 vide G.R.No.1129/18 subject to the conditions that (i) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned. (ii) petitioner/s shall co-operate in the trial and shall be represented on each and every date fixed by the court. (iii) if the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner/s. (iv) if the petitioners/s is found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bond.

(S. Kumar, J)

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