

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9973 of 2019

Arising Out of PS. Case No.-252 Year-2018 Thana- BAHERI District- Darbhanga

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RAM NARAYAN MANDAL @ NANHKI MANDAL @ NANKI aged about
58 years (M) Son of Late Jagdev Mandal, Resident of Village- Narayan
Dohat, P.S- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Chandra

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Baheri P.S. Case No. 252 of
2018 registered for the offence punishable under Section 30(a)
of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 386.96 litres foreign liquor
from the house of the petitioner.

It has been submitted on behalf of the petitioner that



petitioner is innocent and has falsely been implicated in this case. It has further been submitted that liquor was not recovered from the house of the petitioner rather the same was recovered from the toilet where there is access of neighbour and villagers. Petitioner has no criminal antecedent and he is in custody since 15.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Vth-cum-Special Judge (Excise) Darbhanga, in connection with Baheri P.S. Case No. 252 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner 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.

(4) If the petitioner is found involved in similar nature



of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

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