

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25088 of 2019

Arising Out of PS. Case No.-48 Year-2019 Thana- JOGBANI District- Araria

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Kashi Mandal @ Kashi Mandla, aged about 38 years, Male, S/o Khitar Mandal @ Shuter Mandal, R/o Village- Baratpur, Bhadeshwar, P.S.- Bathnaha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Shantanu Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 18-04-2019 As prayed for, learned counsel for the petitioner is permitted to add the alias name of the father of the petitioner in the title portion of the petition during the course of the day.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Special Case No. 263 of 2019 arising out of Jogbani P.S. Case no. 48 of 2019, registered under Sections 30(a) and 38(i) of the Bihar Prohibition and Excise Act, 2016.

135 litres of Nepali liquor is said to have been thrown by three persons. On giving chase, one of them was apprehended while two managed to escape. The apprehended accused disclosed his name as Disco Paswan who also



disclosed that the aforesaid liquor is hailing to the petitioner Kashi Mandal.

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 liquor or any trade of liquor. He has been falsely implicated in the case by the apprehended accused Disco Paswan due to animosity. He was not apprehended on the spot. He has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Addl. Sessions Judge cum Special Judge, Araria in connection with Special Case No. 263 of 2019 arising out of Jogbani P.S. Case no. 48 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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