

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65952 of 2019

Arising Out of PS. Case No.-208 Year-2019 Thana- TEGHRHA District- Begusarai

MANGAL SINGH @ MANGALA @ SANJIV KUMAR, aged about 45 years, Male, S/o Ashok Singh @ Asho Singh, R/o village- Mokhtiarpur, P.S.- Bhagwanpur, District- Begusarai ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Shree Niwas Singh, Adv.

For the Opposite Party : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Teghra P.S. Case No. 208 of 2019 registered under Sections 414 and 120B of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about unloading of the liquor at the house of Shiv Kumar Rai in village Daniyalpur, the informant, along with other police personnel, reached near the house of Shiv Kumar Rai. They saw 5 to 6 persons were engaged in carrying the cartons of liquor in the courtyard of the house. On seeing the police party, all started to flee away in which three male and one female were apprehended, who disclosed their names as Rajesh Kumar, Krishna Mohan, Kumar Sonu and Mala Devi. They also disclosed the names of three persons, succeeded to flee away as Mangal Singh (petitioner), Kaju Kumar and Shiv Kumar Rai. On search of house of Shiv Kumar Rai, several bottles of Indian



made foreign liquor in volume of 382.32 liters recovered.

Submission is that petitioner was not apprehended at the spot rather the name of the petitioner has surfaced in the confessional statement of the co-accused, carrying the cartons of liquor in the house of Shiv Kumar Rai. In fact, petitioner has been made accused in similar nature of two cases, due to that reason the police implicated the petitioner.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Teghra P.S. Case No. 208 of 2019 shall be released 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 the Additional Sessions Judge II-cum-Special Judge, Excise Act, Begusarai, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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