

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64296 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- SIKTI District- Araria

DEEPAK KUMAR MANDAL Son of Vinod Mandal Resident of Village -
Danea, P.S.- Sikti, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nadimul Hasan

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-10-2019 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. 1000 of 2019, arising out of Sikti P.S. Case No. 129 of 2019, registered under Section 30(a), 38(1) of Bihar Prohibition of Excise Act, 2016.

The accusation is that on receiving secret information about carrying of liquor by four persons boarding on three motorcycle at Majrakha, the informant along with other Police personnel reached there then three motorcycles were seen. On seeing the Police party, four persons boarded on the motorcycles started fleeing, but on chase, two persons were apprehended along with three motorcycle and gunny bags. The apprehended persons disclosed their names Pappu Kumar



Mandal and Sarvindra Kumar Mandal. They also disclosed the name of petitioner and Arbind Kumar as their associates. On search of Pulsar motorcycle, 140 bottles, each containing 300 ML, Hero Honda Splendor motorcycle, 36 bottles, each containing 300 ML and from Bajaj motorcycle, 60 bottles, each containing 300 ML Nepali liquor recovered.

Learned counsel for the petitioner submits that petitioner is neither the owner of the motorcycles nor he was apprehended on the spot, rather, his name has been disclosed by co-accused Pappu Kumar Mandal, who was apprehended by the Police. The petitioner 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 2nd Addl. District and Sessions Judge-cum-Special Judge, Araria in connection with Special Case No. C-1000 of 2019, arising out of Sikti P.S. Case No. 129 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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