

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72998 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- HAYAGHAT District- Darbhanga

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MUKESH KUMAR MANDAL @ MUKESH KUMAR MAHTO Son of
Jamun Mandal @ Jamun Mahto (real Name) Resident of Village - Dhobopur
Bansara, P.S.- Hayaghat, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Ms.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with G. O.
Case No. 905 of 2019, arising out of Hayaghat Police Station
Case No. 52 of 2019, registered for the offences punishable
under Sections 272/273 of the Indian Penal Code and Section 30
(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the police,
upon secret information, raided the house of the petitioner and
recovered 452.4 litres of illicit liquor.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case
inasmuch as the illicit liquor has been recovered from the house



which is jointly owned by the co-sharers. He further submits that the petitioner is residing in the joint family property after partition. He further submits that the petitioner has got no criminal antecedent and he is in custody since 13.09.2019.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is in judicial custody since 13.09.2019 having no criminal antecedent, I am inclined to enlarge the petitioner on bail.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Darbhanga, in connection with G.O. Case No. 52 of 2019, arising out of Hayaghat Police Station Case No. 52 of 2019, with the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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