

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68456 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- CHAUTHAM District- Khagaria

Ramesh Kumar Mandal, Son of Munnu Lal Mandal, Resident of Village-25,
Mandro Harladih, P.S.-Pirpanti (Khukhra), District-Giridih (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 17-12-2019 Heard learned counsel for the petitioner and learned
APP for State.

The petitioner in this case is seeking anticipatory bail in connection with Chautham P.S. Case No.28 of 2019 registered for the offences punishable under Sections 273/120(B)/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that no illicit liquor has been recovered from the possession of this petitioner.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case



wherein in course of investigation no material has been collected to show that the illicit liquor which were recovered from the orchard were being transported by vehicle of this petitioner, the vehicle has been seized from a place where it was standing and no illicit liquor has been recovered from the same as also that the name of the petitioner has transpired in the confessional statement of the co-accused but he has no criminal antecedent, let the petitioner in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Iind-cum-Special Judge (Excise), Khagaria in connection with Chautham P.S. Case No.28 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police



officer;

(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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