

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73856 of 2019

Arising Out of PS. Case No.-249 Year-2019 Thana- KURSAKANTA District- Araria

Rupesh Kumar Mandal, aged about 22 years, Gender – Male, Son of Ram Bilash Mandal, Resident of Village - Kauwachar, Ward No.- 05, P.O- Khawaspur, P.S.- Simraha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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 regular bail in connection with Special Case No. 1307 of 2019 arising out of Kursakanta P.S. Case No. 249 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition And Excise Act, 2016.

The allegation against the petitioner is that the motorcycle of the petitioner was intercepted and Police recovered total quantity of 25.800 liters of Nepali Soufi liquor from the said motorcycle.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Learned



counsel further submits that the procedure prescribed in Section 100 of the Cr.P.C. has not been followed by the Police at the time of seizure of the alleged illicit liquor from the motorcycle of the petitioner. Learned counsel further submits that petitioner has got no criminal antecedent and he is in custody since 27.09.2019.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner has got no criminal antecedent and he is in custody since 27.09.2019, I am inclined to enlarge the petitioner on regular bail.

Accordingly, let the petitioner, above named, be enlarged 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, Araria in connection with Special Case No. 1307 of 2019 arising out of Kursakanta P.S. Case No. 249 of 2019.

(Anil Kumar Sinha, J)

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