

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79277 of 2018

Arising Out of PS. Case No.-110 Year-2018 Thana- BARIYARPUR District- Munger

-
1. Dharamveer Mandal @ Dharo, Son of Adhikalal Mandal
 2. Paro Mandal @ Prabhakar Mandal, Son of Ambika Mandal
- Both residents of - Village- Vijay Nagar, P.S- Bariyarpur, District Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarkeshwar Pd. Verma, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 25-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since 13.08.2018 in a case registered for the offence punishable under Sections 414 and 420/34 of the Indian Penal Code.

The prosecution case as per the self statement of S.I. Raj Ratan, S.H.O. Bariyarpur Police Station recorded on 12.08.2018 at 10.15 P.M. at Village – Aashatola is to the effect that on the same day, at 8.30 P.M., a secret information was received that in a red coloured Santro Car, huge quantity of illegal liquor is being transported, whereupon, the informant reached at a check post, where a red coloured Santro car was intercepted and on seeing the police party, two persons started



fleeing away from the vehicle and on chase being made, both the persons were apprehended who disclosed their names as Paro Mandan @ Prabhakar Mandal and Dharamveer Mandal @ Dharo. Though no incriminating article was recovered from the vehicle, but they failed to produce any document of the said car. However, one registration plate was found in the dickey of the vehicle in question.

It is submitted by learned counsel for the petitioner that merely on the basis of suspicion, the petitioners have been roped in the present case. The petitioners were not apprehended from the car, rather they were apprehended from the road. The investigation has already concluded. It is further submitted that a statement has been made in paragraph no.3 of the petition that though petitioner no.2 is accused in one other case, apart from the present case, but in that case, he is on bail, whereas, petitioner no.1 is not having any criminal antecedent.

Learned APP for the State submits that the petitioners were apprehended in the suspicious condition from the car in question.

Considering the fact that the material on record does not suggest that the car in question was found registered in the name of the petitioners and the investigation has already



concluded, let the above named petitioner be released on bail,
on furnishing bail bond of Rs.10,000/- (ten thousand) each
with two sureties of the like amount each to the satisfaction of
learned ACJM-II, Munger in connection with Bariyarpur P.S.
Case No. 110 of 2018 (G.R. No.2320 of 2018)

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

