

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1689 of 2020**

Arising Out of PS. Case No.-373 Year-2019 Thana- BARACHATTI District- Gaya

=====

RAMESH KUMAR MANDAL Son of Nunulal Mandal Resident of Village-
Mandro Harladih, P.S.-Giridih, District-Giridih (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad

For the Opposite Party/s : Mr.Ajay Kumar

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

3 09-06-2020

Heard both sides.

The matter has been taken up through video conferencing.

The petitioner apprehends his arrest in Barachatti P.S. case No. 373/2019 registered u/s 30(a) of the Bihar Prohibition & Excise Act.

The SHO Barachatti intercepted a truck bearing registration No. JH10Q-7823 and apprehended the driver and cleaner of the truck, who disclosed their names as Chhotelal Prajapati and Kuldip Prajapati respectively. Chhotelal Prajapati disclosed that liquor was kept in the truck by Sanjeev Singh and Ramesh Kumar Mandal, the petitioner. On the disclosure made by the driver of the truck, Sanjeev Singh was apprehended. Sanjeev Singh disclosed that he along with petitioner and Kashi Sah used to deal in liquor.

The learned counsel for the petitioner submits that, of course, huge quantity of liquor was recovered from the truck but the petitioner was not apprehended either from the truck or from



anywhere and nothing has been recovered from the possession of the petitioner. The name of petitioner was disclosed by Chhotelal Prajapati and Sanjeev Singh. Sanjeev Singh has already been granted bail. The owner of the vehicle has also been granted bail. There is no tangible material to show that the petitioner in any way is indulged in illicit trade of liquor with Sanjeev Singh.

Considering the facts that name of the petitioner figured in the case in the disclosure made by Chottelal Prajapati and Sanjeev Singh but save and except the said disclosure there is no tangible material against the petitioner to show the involvement of the petitioner in illicit trade of liquor, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Gaya in connection with Barachatti P.S. case No. 373/2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

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

