

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18999 of 2020

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Krishna Mandal @ Krishan Kumar Mandal @ Krishan Mandal @ Krishan Kumar (male) aged about 20 years, son of Dev Lal Mandal, resident of village Kariyot, P.S.: Laukahi District-Madhubani.

..... Petitioner

Versus

The State of Bihar

..... Opposite party

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Appearance

For the Petitioner : Mr. Gagandeo Yadav, Advocate

For the State : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 14.05.2020 Heard learned counsel for the petitioner and learned A.P.P for the State, through video conferencing.

The petitioner who is in custody since 15.2.2020 has filed the instant application for grant of bail in connection with Laukahi P.S. Case no. 154 of 2018 registered under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on information having been received about the petitioner dealing with illegal liquor the police personnel proceeded for verification. On reaching near the house of the petitioner they saw two persons with sacks loaded on bicycle crossing the river. On seeing the police jeep the two accused persons managed to escape. A total of 120 litres of country liquor was recovered.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the possession of the petitioner. The petitioner was not arrested on the spot. He has no concern with the seized bicycles or the wine. The petitioner has no criminal antecedent and is in custody since 15.2.2020.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and in view of the fact that the petitioner was not arrested at the spot, he has no criminal antecedent and his being in custody since 15.2.2020, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Laukahi P.S. Case no. 154 of 2018 (G.R no. 1244/18) on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani.

(Partha Sarthy, J)

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