

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19588 of 2020
Arising Out of PS. Case No.-35 Year-2020 Thana- GOVERNMENT
OFFICIAL COMP. District- Bhagalpur

=====

BIMAL MANDAL Son of Anil Mandal Resident of Village- Dhaiya Mandal
Basti, P.S.- Dhanbad, District- Dhanbad (Jharkhand)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Diwakar Upadhyaya, Advocate.

For the Opposite Party: Mr. J.K. Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 20-07-2020

Heard learned counsel for the petitioner and learned APP for the State through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the Stamp Reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately after the lockdown ends, and in any event within one month thereof.

2. The petitioner is in custody since 10.02.2020 in connection with Excise P.S. Case No. 35 of 2020 (arising out of Bhagalpur Official Complaint Case) for the offences alleged under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 880 litres of illegal spirit and 160 Kg. of bhushi of paddy from a vehicle (Tata Ace). It is submitted that the petitioner has been implicated only on the allegation that he was the assistant driver along with co-accused driver Karan Pandey. It is submitted that the petitioner is merely a labourer who was asked to go in the vehicle for unloading the truck and had no knowledge about the nature of goods being



carried in the vehicle. The aforesaid co-accused Karan Pandey has been granted bail by this Court in Cr. Misc. No. 16852 of 2020. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may and having regard to the period of custody already suffered since 10.02.2020, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge cum Special Judge (Excise Act), Bhagalpur, in connection with Excise P.S. Case No. 35 of 2020 (arising out of Bhagalpur Official Complaint Case), if he is not otherwise required in any other case.

6. Office shall ensure that all defects have been removed and compliance with the notices of this Court has been made, within the stipulated time as provided in para-1 hereinabove.

(Vikash Jain, J)

lbrar//-

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

