

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67858 of 2019

Arising Out of PS. Case No.-292 Year-2018 Thana- PHULPARAS District- Madhubani

Vishveshwar Mandal @ Bisheshwar Mandal @ Bisho Mandal, Son of Late
Bhagvat Mandal, Resident of Village - Belha, P.S.- Phulparas, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dileep Kumar Singh

For the Opposite Party/s : Mr.Rina Sinha

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 31-01-2020 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Phulparas P.S. Case No. 292 of 2018, registered under Sections 272
and 273 of the Indian Penal Code and Section 30(a) of the Bihar
Excise Act, 2016.

The accusation is that on receiving secret information
about concealing of illicit liquor in the wheat straw by petitioner in
village Belha, the informant along with other police personnel
reached there. On search of the house of the petitioner, nothing was
recovered. On query from the villagers, it has come to know that
Pawan Kumar Mandal, Prakash Kumar, Prashant Kumar and
petitioner on seeing the police party, succeeded to flee away towards
the house of Pramila Devi for the purpose to conceal the liquor.



Thereafter, police reached at the house of Pramila Devi and on search, 45 bottles each containing 180 ml Indian made foreign liquor and 7 bottles each containing 300 ml Nepal liquor were recovered in the paddy straw in front of the house.

Learned counsel for the petitioner submits that it would appear from the FIR that nothing was recovered from the house of the petitioner or nearby the house of the petitioner but due to dirty village politics, his name has surfaced in the present case. Mr. Rikesh Singh, learned counsel for the petitioner submits that while three other cases are pending against the petitioner, but in all three cases, he is on bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Phulparas P.S. Case No. 292 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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