

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76977 of 2019

Arising Out of PS. Case No.-108 Year-2019 Thana- HATHAURI District- Samastipur

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KANHAIYA MANDAL @ KANHYA MANDAL Son of Late Yogendra
Mandal Resident of Village-Pura, Police Station-Hathauri (Shivajinagar),
District-Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking
regular bail in connection with Hathauri (Shivajinagar) P.S.
Case No. 108 of 2019 registered under Sections 30(a) of
Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that
the recovery of illicit liquor from the shop has not been
made in accordance with law by preparing proper seizure
list. Learned counsel submits that the petitioner has no
criminal antecedent and has remained in custody since
18.10.2019.

Learned A.P.P. for the State has opposed the



prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the alleged recovery of illicit liquor from the shop has not been made in accordance with law by preparing proper seizure list as that the petitioner has no criminal antecedent and has remained in custody since 18.10.2019, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – II – cum – Special Judge, Excise Act, Samastipur, in connection with Hathauri (Shivajinagar) P.S. Case No. 108 of 2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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