

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 13125 of 2021**

Arising Out of PS. Case No.-150 Year-2020 Thana- MADHWAPUR District- Madhubani

PRAMOD MANDAL S/o- Kushe Mandal @ Kushe Khatbe Resident of
Village- Balwa, P.S.- Madhwapur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sanjay Kumar, Advocate

For the Opposite Party/s : Mr Pawan Kumar Chaurasiya, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 16-07-2021 This case has been taken up today for consideration
through Video Conferencing.

Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor (for brevity, *APP*) for the
State.

The petitioner seeks bail in Madhwapur Police Station
(for brevity, *PS*) Case No 150 of 2020 dated 14.12.2020
instituted for the offence punishable under Sections 272, 273,
341, 342, 323, 353, 188, 379, 504, 506/34 of Indian Penal Code,
Sections 30 (a)/45 of Bihar Prohibition and Excise Act and
Sections 3 (1), (X), 13 (2), (va) of Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

On alleged recovery of 69.67 liters of illicit liquor, it



is submitted that the petitioner has been in custody since 15.12.2020. Submission is that petitioner has no criminal antecedent. Recovery is not in accordance with law and it is a case of false implication.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise Act, Madhubani in Madhwapur PS Case No 150 of 2020 dated 14.12.2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today



for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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