

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14805 of 2021

Arising Out of PS. Case No.-229 Year-2020 Thana- LAUKAHI District- Madhubani

RAM AVTAR MANDAL Son of Hari Mandal Resident of Village - Kariyaut,
P.S.- Laukahi, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 18.12.2020 in connection with Laukahi P.S. Case No. 229 of 2020 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act and Section 272/273/34 of the Indian Penal Code.

As per the prosecution case, 79.8 liters of Nepali countrymade liquor has been recovered from the house of the petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. It is further submitted that the alleged recovery has been made from the house which is in joint possession of the family. Chargesheet has already been submitted in this case. Petitioner has got no



criminal antecedent and he is in custody since 18.12.2020.

Considering the aforesaid facts and circumstances and that nothing has been recovered from the possession of the petitioner, coupled with the fact that chargesheet has already been submitted in this case, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Addl. Sessions Judge-II cum Special Judge, Excise Act, Madhubani, in connection with Laukahi P.S. Case No. 229 of 2020, subject to following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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