

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27074 of 2021

Arising Out of PS. Case No.-277 Year-2020 Thana- ARARIA District- Araria

SANJIV KUMAR MANDAL S/o Naresh Mandal R/o Village- Pipra Bijwar,
P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Satya Nand Sukla, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 30(a)/36 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 1.260 liters of officer choice tetra pack illegal foreign liquor is said to have been recovered from the motorcycle which belongs to the petitioner. He submits



that one Md. Talib took the vehicle of the petitioner saying that his mother is very serious and due to lockdown no transport is available. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 5,000.00 (Rupees Five Thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the facts and circumstances of the case, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with SPL Case No. 376 of 2020 arising out of Araria (Bairgachhi) P.S. Case No. 277 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further conditions:

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file



an affidavit stating his relationship with the petitioner.

(2) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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