

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.33287 of 2020

Arising Out of PS. Case No.-155 Year-2019 Thana- ANDHRAMATH District- Madhubani

OM PRAKASH MANDAL, S/O Dev Narayan Mandal, R/O Village -
Amchiri, P.S. - Andhramath, District – Madhubani ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Lakshmindra Kumar Yadav, Adv.

For the Opposite Party : Mr. Damodar Prasad Tiwary, APP

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

ORAL ORDER

2 08-03-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 07.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Andhramath P.S. Case No. 155 of 2019, corresponding to G.R. No. 1965 of 2019 registered under Sections 272 and 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty, one Glamour motorcycle, bearing registration no. BR-50E-4890, was seen moving in fast speed on which two persons were boarded and the same was stopped. Both persons, who were on motorcycle, disclosed their names Ram Prakash Mandal and Lalan Kumar Ram. On search of motorcycle, 160 bottles, each of 300 ml of Nepali Saufi wine, recovered.



Submission is that co-accused, Ram Prakash Mandal, who is said to be apprehended on spot is the brother of the informant and for some domestic work, Ram Prakash Mandal, brother of the informant, moved from the house with motorcycle, which is in the name of the petitioner, but, the petitioner had no knowledge and behind the petitioner, his brother, Ram Prakash Mandal, used the motorcycle of the petitioner carrying the bottles of Nepali Saufi wine. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Andhramath P.S. Case No. 155 of 2019, corresponding to G.R. No. 1965 of 2019, shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II-cum-Special Judge, Excise Act, Madhubani, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

U		T	
---	--	---	--

