

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32463 of 2020**

Arising Out of PS. Case No.-499 Year-2020 Thana- FORBESGANJ District- Araria

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Suman Kumar @ Suman Mandal, male, aged about 28 years, Son of Suman Mandal @ Sharwan Mandal @ Sravan Kumar Mandal, Resident of Village - Bhagkohalia, Ward No. 03, P.S.- Forbesganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr. APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

2      12-02-2021                      Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Special Case No. 528 of 2020 arising out of Forbesganj P.S. Case No. 499 of 2020, dated 25.06.2020, instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It appears from the prosecution report that



166.05 litres of liquor was recovered from in front of the P.D.S. shop of one Mahendra Prasad Sah. The petitioner is sought to be prosecuted in this case on the basis of the statement made by a police spy that he and two others had brought the liquor.

The petitioner has clean antecedents.

Considering the fact that there is no recovery from the possession of the petitioner and that his implication is only on the basis of the statement made by the police spy and taking into account his clean antecedents, this Court is inclined to grant him anticipatory bail.

The petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Addl. District and Sessions Judge-Cum-Special Judge, Araria, in connection with Special Case



No. 528 of 2020 arising out of Forbesganj P.S. Case  
No. 499 of 2020, subject to the conditions laid down  
under Section 438(2) of the Cr.P.C.

**(Ashutosh Kumar, J)**

Praveen-II/-

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