

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38965 of 2020

Arising Out of PS. Case No.-142 Year-2020 Thana- RUPAULI District- Purnia

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BIMAL MANDAL @ VIMAL MANDAL Son of Ramotar Mandal @
Ramawatar Mandal Resident of Village - Laxmipur Girdhar, P.S.- Rupauli
(Akbarpur O.P.), District - Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P

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

ORAL ORDER

2 13-07-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office

vide its notes dated 23.12.2020, within four weeks of starting of

Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Rupauli (Akbarpur O.P) P.S. Case no. 142 of 2020,
registered under Sections 272 and 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The accusation is that in course of raid in village-
Laxmipur Girdhar, from a damaged hut, a plastic container



containing five litres of country made liquor, recovered, while Bimal Mandal (Petitioner) succeeded to flee away.

Learned counsel for the petitioner submits that, in fact, on the date of occurrence, the petitioner was at the clinic of Dr. Lalan Singh, Bhagalpur for treatment and he was not in the village. Moreso, the damaged hut from which the alleged plastic container containing five litres of country made liquor is said to be recovered is not belong to the petitioner. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Purnia in connection with Rupauli (Akbarpur O.P) P.S. Case no. 142 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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