

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4652 of 2021

Arising Out of PS. Case No.-217 Year-2020 Thana- KHAJAULI District- Madhubani

ASHOK MANDAL @ ASHOK KUMAR MANDAL SON OF GANESH
MANDAL RESIDENT OF VILLAGE - KUAR, P.S. - JAI NAGAR,
DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.
Mr.Gagan Deo Yadav, Adv.
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Khajouli P.S. Case No. 217 of 2020, G.R. No.1410 of 2020 registered for the offence punishable under Sections 272, 273, 414, 34 of the IPC and section 30(a) of the Bihar Prohibition and Excise Act 2018.

45 liters of Nepali wine is said to have been recovered while checking from three people coming on two motorcycle.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 45 liter of Nepali liquor is recovered from motorcycle which does not belong to the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case as no such occurrence has ever taken place and entire prosecution version is fabricated and concocted. Petitioner has no criminal antecedent as has been mentioned in para-3 of the present petition and has been languishing in custody since 22.10.2020.

Petitioner is agreed to deposit a sum of Rs. 5,000.00 (Rupees Five Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released 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 learned court below, in connection with Khajouli P.S. Case No. 217 of 2020, G.R. No.1410 of 2020.



The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000.00 (Rupees Five Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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