

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2911 of 2021

Arising Out of PS. Case No.-87 Year-2020 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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MANOJ MANDAL S/O LATE SITA RAM MANDAL RESIDENT OF
VILLAGE SUNDARPUR, WARD NO 02, P.S.-L.N.M.U., DISTRICT-
DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Apurva Kumar

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 27-07-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with L.N.M.U. P.S. Case No. 87 of 2020
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2016.

Five bottles of Nepali liquor and one bottle of
foreign liquor is said to have been recovered from outside
the house of the petitioner. The seized liquor in question was
found concealed in a toilet tank.

The recovery, it has been urged, cannot be saddled
on the petitioner as it is from open space. Had the petitioner



owned the seized items, he would not have concealed in the toilet tank.

The petitioner does not have criminal antecedents.

No offence under Excise Act, therefore, it has been urged, can at all be said to have been made out against the petitioner.

For the reasons afore-stated, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 02nd Additional Sessions Judge -cum- Special Judge (Excise) Act -cum-Vacation Judge, Darbhanga in connection with L.N.M.U. P.S. Case No. 87 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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