

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13488 of 2022

Arising Out of PS. Case No.-8 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

=====

Dilkhush Mandal S/o Nandlal Mandal R/o village- Tamot Parsa, Ward No. 05,
P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Sadar (Madhepura) P.S. Excise Case No. 8 of
2021 registered for the alleged offences under Section 30(a) of
Bihar Prohibition and Excise Act, 2018.

The prosecution case is that on suspicion a motorcycle
was stopped and two persons tried to flee away on seeing the
police party. One of them, the petitioner was apprehended after
chase and from the motorcycle about 75 liters of illicit country



made liquor was seized.

The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The motorcycle from which recovery has been made does not belong to this petitioner. The petitioner has got clean antecedent and he is in custody since 16.11.2021.

Learned A.P.P. for the State has opposed the prayer of bail of the petitioner.

Having regard to the submissions made hereinabove and considering the fact that the recovery was made from the motorcycle and the period of custody of this petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-4-cum-Special Judge, Excise Act, Second, Madhepura in connection with Sadar (Madhepura) P.S. Excise Case No. 8 of 2021, subject to the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and



every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

ved/-

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

