

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20255 of 2022

Arising Out of PS. Case No.-279 Year-2021 Thana- KADWA District- Katihar

1. Jagannath Mandal S/O Late Dwarikanath Mandal @ Dwarika Mandal R/O Village- Gauriganj, P.S.- Kadwa, District- Katihar.
2. Md. Juber Alam S/O Shekh Abul R/O Village- Saguniya, P.S.- Kadwa, District- Katihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah @ Baranwal
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Section
30(a) of the Excise Act, 2016.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
allegation is of recovery of 360ml of liquor from bullet
motorcycle and 180ml of liquor from TVS Star motorcycle.

The learned counsel for the petitioners submits that
the petitioners were not arrested from the spot. Nothing was
recovered from their conscious possession. It is next submitted



that it was election time and as such, the petitioners had parked their motorcycle and had gone for some work and when they returned, they saw that police personnel were standing near the motorcycle and were claiming that liquor have been found. It is submitted that in absence of the petitioners someone kept the liquor seeing the police force in the motorcycle.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners and the fact that the petitioners are persons with clean antecedent, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Kadwa P. S. Case No.279 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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