

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26345 of 2022

Arising Out of PS. Case No.-110 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

RANJIT MANDAL Son of Sudeen Mandal Resident of Village - Maheshpur,
P.s.- Babarganj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr.Pravin Kumar Sinha, Adv.
For the Opposite Party/s	:	Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-06-2022 The present matter has been listed under the heading
“To Be Mentioned” on the basis of motion slip filed on behalf of
the petitioner.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Jagdishpur (Bypass TOP) P.S. Case No. 110 of 2022, Special
Excise Case No. 648/2022 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.
Later on during investigation, Sections 328, 467, 468, 420 of the
IPC were added.



As per prosecution case, there is alleged recovery of 4.375 litre English wine from the bag as well as possession of the petitioner and the petitioner is apprehended on the spot.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and has falsely been implicated in the present case at the instance of local police. Petitioner is in custody since 27.03.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted and keeping in view clean antecedent of the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-I, Bhagalpur in connection with Jagdishpur (Bypass) P.S. Case No. 110 of 2022, Special Excise Case No. 648/2022, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who sworn the affidavit



in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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