

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27617 of 2022

Arising Out of PS. Case No.-140 Year-2021 Thana- KHUTAUNA District- Madhubani

DEEPAK KUMAR MANDAL S/o Ghuran Mandal Resident of Village-
Chharapatti, P.S.- Khutauna, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of 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 Khutauna P.S. Case No. 140 of 2021 registered for the alleged offences under Sections 272 and 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case is that on receipt of information, a raid was conducted on the house of the petitioner that he has concealed liquor behind his house. The petitioner escaped during the raid and 69 liters of country made *Nepali* liquor was



recovered.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The illicit liquor has not been recovered from the house of the petitioner rather recovery has been shown from bushes behind the house. Nothing incriminating has been recovered from the conscious possession of the petitioner. He was not apprehended from the spot. Charge sheet has been submitted in this case and the petitioner is in custody since 03.04.2022.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the submissions made hereinabove and considering the quantity of liquor seized and the period of custody of the 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-II-cum-Special Judge, Excise Act, Madhubani in connection with Khutauna P.S. Case No. 140 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)

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