

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45750 of 2021

Arising Out of PS. Case No.-38 Year-2021 Thana- SAHIYARA District- Sitamarhi

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KAMESHWAR MANDAL S/o Lakshman Mandal R/o Village- Baduri
Amghatta, M. Kala, Ward No.-11, P.S.- Sahiyara, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dwij Raj, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on being confronted, it is stated that the accused persons fled away and one of them was caught and 288 litres of liquor was recovered. The apprehended accused disclosed the name of the petitioner to be amongst the person who had managed to escape.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He is in custody since 31.5.2021 and has no criminal antecedent.



Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Sahiyara P.S. Case no.38 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge II-cum-Special Judge, Excise Act, Sitamarhi.

(Partha Sarthy, J)

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