

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57524 of 2021

Arising Out of PS. Case No.-162 Year-2021 Thana- GAIGHAT District- Muzaffarpur

Dharamnath Mandal S/O Late Sitaram Mandal R/O Village- Jarang Malahtali,
P.S.- Gaighat, District- Muzaffarpur, Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-01-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Gaighat
P. S. Case No.162 of 2021, instituted for the offences under
Sections 272, 273/ 34 of the Indian Penal Code and Sections
30(a), 36, 41(1) of the Bihar Prohibition and Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is in custody since 17.07.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

Allegation is of recovery of 138.750 litre of liquor
from flower garden of Bhupendra Singh.

The learned counsel for the petitioner submits that
petitioner was not apprehended from the place of occurrence



and he was identified by the Chaukidar as the person, who fled away after seeing the police. It is submitted that since petitioner is on an inimical term with the Chaukidar, hence, he came to be falsely implicated in the present case.

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

Considering the fact that the petitioner is in custody since 17.07.2021, he is a person with clean antecedent and charge-sheet has been submitted in this case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Gaighat P. S. Case No.162 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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