

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64747 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- AAJAM NAGAR District- Katihar

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Dindayal Mandal @ Din Dayal @ Din Dayal Kumar aged about 32 years
(Gender- Male) Son of Rajendra Prasad Mandal Resident of Village- Kabaiya,
P.S. Hasanganj, District-Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bimal Kumar, Adv.

For the State : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 31-05-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

The petitioner seeks bail in *Azamnagar (Salmari) PS*
Case No. 55 of 2021, instituted for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act
2016.

From an overturned trailer, there is alleged recovery of
297 liters of illicit foreign liquor. Even as per allegation the
liquor was being transported for being delivered to the instant



petitioner.

It is submitted by the petitioner's counsel that even as per the allegation recovery is not from his possession nor was he present at the time of recovery. Petitioner is in custody since 16-04-2021 and has one criminal antecedents.

The learned APP representing the State has opposed the prayer for bail.

Having regard to the nature of allegations and the period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ -II -cum *Special Judge, Excise Act, Katihar*, in connection with *Azamnagar (Salmari) PS Case No. 55 of 2021*, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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