

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56381 of 2022**

Arising Out of PS. Case No.-631 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Vikki Mandal @ Vikki Kr. Mandal, Son of Late Ram Sewak Mandal, resident
of Village - Barari (Pul Ghat Road), P.S. Barari, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mr.Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2022 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.

In the present case, the petitioner seeks bail in
connection with Kotwali (Barari) P.S. Case No. 631 of 2019
registered for the alleged offences under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the petitioner is alleged to
have thrown a bag containing 4.4 litres of country made liquor
at the roof of one Niranjana Mandal.

The learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. No occurrence as alleged as ever taken place. Illicit liquor was found in abandoned condition on the roof of one Niranjana Kumar Mandal. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the recovered illicit liquor. The petitioner is in custody since 17.12.2021 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that a large number of cases are pending against him.

Having regard to the submissions made hereinabove and considering the period of custody of the petitioner as well as submission of charge-sheet against him, 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 Special Excise Judge-1st, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 631 of 2019, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also 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 on 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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