

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.988 of 2022

Arising Out of PS. Case No.-472 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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BIRENDRA KUMAR MANDAL S/o Srinarayan Mandal Resident of Village-
Barahi Ward No.-11, P.S.- Parihar, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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 two motorcycles
being signaled to stop for checking, it is stated that the accused
person on one of the motorcycle escaped while the petitioner
who was on another motorcycle was caught. A total of 90 litres
of liquor was recovered from the two motorcycles.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
petitioner's possession or from his motorcycle. He has been



falsely implicated in the case. He is in custody since 4.10.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner not having any criminal antecedent and having remained in custody for 8 months, the Court directs the petitioner to be enlarged on bail in connection with C2 Case no. 472 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 A.D.J-II-cum- Special Judge, Excise Act, Sitamarhi.

(Partha Sarthy, J)

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