

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20993 of 2023

Arising Out of PS. Case No.-286 Year-2022 Thana- SINGHESHWAR District- Madhepura

1. Rajesh Mandal @ Rajendra Mandal, S/O Badri Mandal Resident Of Village- Maura Bari, Ward No.- 03, P.S.- Shankarpur, District- Madhepura.
2. Gauri Mandal, S/O Choti Mandal Resident Of Village- Simariya, Ward No.- 08, P.S.- Tirveniganj, District- Supaul.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surya Narayan Yadav- Advocate
For the State	:	Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The learned counsel for the petitioner no.2, at the outset,
seeks permission to withdraw the present anticipatory bail
application with respect to petitioner no.2, Gauri Mandal.

Permission is accorded.

Accordingly, instant petition is dismissed as withdrawn
as against petitioner no.2, Gauri Mandal.

Heard learned counsel for the petitioner no.1 and
learned APP for the State.

The petitioner no.1 seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a), 32(B) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is of



recovery of 2268.72 litre of liquor from a truck.

The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is also submitted that petitioner is neither the driver, nor the owner of the truck and his name came in the F.I.R. based on secret information which is the easiest way to implicate someone, when admittedly petitioner no.1 is a person with clean antecedent.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner no.1, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-V-cum-Special Judge (Excise)-1, Madhepura in connection with Singheshwar P. S. Case No.286 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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