

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52267 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- KURSAKANTA District- Araria

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Ajay Mandal @ Ajay Kumar Mandal, Son Of Tarachand Mandal R/O-
Sonapur Ward No. 7, P.S.-KURSAKANTA, Distt.-ARARIA

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nadimul Hasan

For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 36 litres of liquor from a sack from
the possession of Savin Kumar.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated based on confessional statement of Savin Kumar in
police custody, which does not have any evidentiary value.



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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, 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 Exclusive Special Judge, Excise-2nd, Araria in connection with Kursakanta (Kunwari) P. S. Case No.63 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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