

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60630 of 2022

Arising Out of PS. Case No.-206 Year-2022 Thana- LAUKAHI District- Madhubani

RAM BAHADUR MANDAL, male, aged about 46 years, Son of Guddar
Mandal R/V- Sakhua, P.S- Laukahi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Namrata Mishra, Adv.

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 13-01-2023 This matter has been taken up today for consideration
through video conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Laukahi P. S.
Case No. 206 of 2022, registered for the offence punishable under
Sections 272 and 273/34 of the Indian Penal Code and Sections 30(a),
of the Bihar Prohibition and Excise Act, 2018.

144 litres *Nepali* country made liquor has been recovered
near the *Indo Nepal* border. Allegation is that the petitioner has
dumped the bag in which the illicit liquor was contained and was
fleeing away.

The learned counsel for the petitioner submits that
petitioner has no connection with the bag or illicit liquor. He has been
framed in this case because he was present at the time of recovery.
The petitioner has one antecedent, as per disclosure made in para 3 of
the bail petition, and he is in custody since 11-08-2022.

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



Considering the rival submissions, manner of recovery, nature of allegation and the fact that investigation is complete, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise Act), Jhanjharpur, in connection with Laukahi, P. S. Case No. 206 of 2022, corresponding to GR No. 679 of 2022, 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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