

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64804 of 2022

Arising Out of PS. Case No.-175 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Lalit Mandal, aged about 46 years, Male, S/O Bindeshwar Mandal Resident
of village- Pura, P.S.- Hathauri, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-01-2023 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 Samastipur
Excise Complaint Case No. 175 of 2019 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise Act,
2018.

From the petitioner's courtyard, there is alleged recovery of
10.740 litres (ten litres and seven hundred forty millilitres) of illicit
liquor.

Learned counsel for the petitioner submits that the recovery is
not from his conscious possession and it is a case of false implication
due to the petitioner's criminal antecedents. The petitioner in
connection with this case has remained in custody since 05.08.2022.

Learned APP for the State has opposed the prayer for bail.

Having regard to the manner of recovery, submissions



advanced by the parties, period of custody 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 Court No.-02, Samastipur, in connection with Samastipur Excise Complaint Case No. 175 of 2019, 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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