

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72955 of 2023

Arising Out of PS. Case No.-319 Year-2023 Thana- GOPALPUR District- Bhagalpur

BIKASH MANDAL Son of Late Santar Mandal Resident of Village - Karari
Tinranga, Police Station Gopalpur, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Gopalpur (Rangra O.P.) P.S. Case No. 319 of 2023 registered under Sections 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2016 lodged on 01.07.2023 by the informant, Lalan Kumar Jha.

3. As per the prosecution story, the motorcycle was intercepted and on search, 11.625 liters of Indian Made Foreign liquor recovered/seized.

4. Learned counsel for the petitioner submits that he has been falsely implicated in this case only because he has criminal antecedent. He has already suffered by being in custody since 02.07.2023 (as stated in paragraph-8 of the



petition).

5. Taking into account the fact that he is a young person of 21 years of age has remained in custody since 02.07.2023 and will ultimately face the trial, this Court is inclined to grant him privilege of bail.

6. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Exclusive Excise Court NO. 1, BHagalpur in connection with Gopalpur (Rangra O.P.) P.S. Case No. 319 of 2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of his bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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