

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69620 of 2022

Arising Out of PS. Case No.-227 Year-2022 Thana- LAKHNAUR District- Madhubani

Rahul Kumar Mandal Son Of Subheshwar Mandal R/O Village- Kaithaniya,
P.S.- Lakhnour, (R.S.O.P.), District- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under Sections 272, 273/34 of Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 216 litres of illicit Nepali liquor from a Maruti Suzuki car bearing Registration Number DL-9CX-4547. Petitioner is alleged to be driver of the vehicle in question.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely



been implicated in the present case. He has no concern with the seized liquor and nothing has been recovered from his conscious possession. Moreover, the Petitioner is languishing in judicial custody since 31.10.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. vehemently opposed the prayer of bail and submitted that petitioner was driver of the vehicle in question.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, this court is inclined to enlarge the petitioners on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur in connection with Lakhnour (R.S.O.P.) P.S. Case No. 227 of 2022



The petitioner is directed to deposit a sum of Rs. 30,000/-(Rupees Thirty Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 30,000/-(Rupees Thirty Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

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