

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6497 of 2024

Arising Out of PS. Case No.-111 Year-2023 Thana- Excise P.S. District- Madhubani

Ajay Kumar Mandal S/O- Ramvilas Mandal R/O- Village- Mukhiya Patti,
P.S.- Saharghat, Dist.- Madhubani

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in G.O. Case No. 3559/23
(Benipatti Excise Thana Case No. 111/23) instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that 90 liters liquor
is recovered from the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. The petitioner
has got no concerned with the alleged recovery of liquor. The
motorcycle in question does not belong to the petitioner. No



incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 10.11.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the petitioner having clean antecedent, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with G.O. Case No. 3559/23 (Benipatti Excise Thana Case No. 111/23).

(Rudra Prakash Mishra, J)

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