

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10528 of 2024

Arising Out of PS. Case No.-323 Year-2023 Thana- AMDABAD District- Katihar

1. Rana Mandal, Son of Sem Mandal, R/o Ram Nagar, P.S.- Manikchak, Dist.- Malda (W.B.)
2. Madan Kumar, Son of Vikash Ray, R/o - Jagwati, Pkshim Tola, P.S.- Manihari, Dist.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners seek bail in Amdabad P.S. Case No.
323 of 2023, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 698.115 liters
liquor was recovered from pickup van and both the petitioners
were arrested on spot.

4. Learned counsel for the petitioners submits that the
petitioners have falsely been implicated in the present case. The
petitioners have got no concern with the alleged recovery of
liquor, both the petitioners are driver and *khalasi* of the alleged



pickup van and not the owner of the said vehicle. The petitioners are in custody since 21.12.2023 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amdabad P.S. Case No. 323 of 2023.

(Rudra Prakash Mishra, J)

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