

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14831 of 2024

Arising Out of PS. Case No.-272 Year-2023 Thana- BASOPATTI District- Madhubani

Ramlochan Mandal @ Lochan Mandal, Son of Makhan Mandal R/o Village-
Mehtarpatti, P.S.- Basopatti, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Sah

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 11-03-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections 272
and 273 of the I.P.C. Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the allegation
is of recovery of 48 litres of liquor from the husk house.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and husk house is a place
outside the house and is accessible to villagers at large. It is further
submitted that no prudent person would use his own premises for
committing a crime and thus, would create evidence against



himself. It is also submitted that petitioner came to be implicated at the instance of local people, but then, the name of the person, who disclosed the name of the petitioner is not disclosed in the F.I.R., which cast an aspersion on the case of the prosecution, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani in connection with Basopatti P. S. Case No.272 of 2023, G.R. No.1769 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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