

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38896 of 2024

Arising Out of PS. Case No.-122 Year-2024 Thana- Excise P.S. District- Araria

Raj Kumar Mandal @ Raj Kumar S/O Binod Mandal R/O Village-Koriapatti,
Ward No.13, P.S.- Jadia, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balkrishna Mishra, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Araria Excise Circle P.S. Case No.122 of 2024, lodged on
23.03.2024, under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per the prosecution, FIR has been lodged against
two named accused persons including the present petitioner and
total recovery of 210 litres of liquor has been the subject matter
of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the petitioner is in custody since 23.03.2024 having
no criminal antecedent. Counsel further submits that the



petitioner is neither driver nor *khalasi* nor owner of the vehicle, but under wrong impression he sat in the vehicle and upon raid, he was caught by the police. Counsel submits that in future he shall not commit such mistake.

5. Learned counsel for the State opposes the prayer for bail and submits that the petitioner was sitting in the vehicle in which liquor had been recovered.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II, Araria, in connection with Araria Excise Circle P.S. Case No.122 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Mkr./Ankit

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