

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39323 of 2024**

Arising Out of PS. Case No.-40 Year-2024 Thana- LAUKAHI District- Madhubani

Sanjay Mandal @ Sanjay Kumar Mandal @ Sanjay Kumar Son Of Ram
Sundar Mandal Resident Of Village - Kuriban, P.S. - Laukahi, District -
Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Advocate

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

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

ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Laukahi P.S. Case No.
40 of 2024, instituted for the offences punishable under Sections
272, 273, 414/34 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 126 liters
liquor was recovered from one motorcycle and the petitioner
was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner further submitted that the petitioner is not the owner of the motorcycle in question. The petitioner is in custody since 26.02.2024 and has got one 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 petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Laukahi P.S. Case No. 40 of 2024.

(Rudra Prakash Mishra, J)

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