

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52168 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- Excise P.S. District- Supaul

Mahendra Mandal Son of Late Nathuni Mandal Resident of Village -Ward
No.11, Keshav Nagar, (Nirmali,) P.S.- Pipra, District- Supaul, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate.

For the Opposite Party/s : Mr. Anish Chandra, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Excise Supaul P.S. Case No.99 of 2024 instituted under
Section 30 (a) of Bihar Prohibition and Excise (Amendment)
Act.

3. As per the prosecution case, 25 litre country made
liquor was recovered from the bush situated at the back of the
garage of co-accused Sanjay Mehta. It is alleged that the
apprehended co-accused Sanjay Mehta had disclosed the name
of petitioner that he is the supplier of the said liquor.

4. Learned counsel for the petitioner submits that
petitioner has no criminal antecedent and he is innocent and has
been falsely implicated in this case on the basis of disclosure
statement made by the co-accused. He further submits that the



petitioner was not present on the spot, nothing incriminating article has been recovered from his conscious possession. Learned counsel submits that petitioner has no concern with the seized liquor or the place of occurrence. He also submits that the petitioner undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge Excise-02, Supual (Bihar) in connection with Excise Supaul P.S. Case No.99 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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