

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68498 of 2024

Arising Out of PS. Case No.-895 Year-2023 Thana- SARAIYA District- Muzaffarpur

Ramesh Mandal son of Suresh Mandal Resident of Village- Pokhraise, Ps-
Saraiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Saraiya
P.S. Case No. 895 of 2023 instituted for the offences punishable
under Sections 272, 273/34 of the Indian Penal Code and
Sections 30(a), 32(2), 32(3), 36, 41(1), 41(2) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1110.96
litres of Indian made foreign liquor was recovered from pickup
vehicle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner is only the owner of the vehicle and had no knowledge of the fact that his vehicle has being used in the transport of illicit liquor. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 05.04.2024 has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. The co-accused person has already been granted bail by this Bench vide order dated 04.03.2024 passed in Cr. Misc. No. 14598 of 2024.

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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Saraiya P.S. Case No. 895 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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