

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70069 of 2024

Arising Out of PS. Case No.-291 Year-2024 Thana- KHAJEKALA District- Patna

Mantu Kumar Das @ Mintu Das @ Mantu Das S/o Bindeshwar Das R/o
Mohalla - Chhoti Bazar, at present Hazari Mohalla, P.S. - Khajekalan, Distt. -
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Advocate
For the State : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-10-2024 Heard the parties.

2. The petitioner is in custody in connection with
Khajekalan P.S. Case No. 291 of 2024 for the offence
punishable under section 30(a) of Bihar Prohibition and Excise
Act, lodged on 20.07.2024 by the informant, Vikash Kumar
Singh.

3. As per the prosecution story, the informant during
patrolling duty came to know about the carrying of the liquor
through the river side and intercepted the accused persons, there
is recovery of 28 liters of country made liquor from the bag
which was left by the accused persons. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that
nothing has been recovered from his conscious possession and



only due to the local politics, he has been named for which he has already remained in custody since 29.07.2024 (paragraph no.9 of the petition).

5. Learned APP opposed the prayer submitting that he has criminal antecedent of the same nature.

6. Considering the aforesaid submissions put forward by the parties as also the fact that he has remained in custody since 29.07.2024 and nothing has been recovered from his conscious possession, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Court of Excise, Patna City, in connection with Khajekalan P.S. Case No. 291 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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