

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82667 of 2023

Arising Out of PS. Case No.-298 Year-2023 Thana- JAYNAGAR District- Madhubani

Bipin Mandal Son Of Ramesh Mandal R/O Village- Bhajapaul, Simari, P.S.-
Bisfi, Dist.- Madhubani (Bihar)

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Md. Soban Asghar, Advocate
For the State : Mr. Khurshid Anwar, APP

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

ORAL ORDER

5 19-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Jaynagar P.S. Case No. 298 of 2023 instituted for the offence under Sections 272, 273, 414 & 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case in short is that there is recovery of 126 liters of illicit liquor from the motorcycle of the petitioner.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09-07-2023. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner has no concern with the alleged recovered liquor. Nothing has been recovered from the conscious possession of the petitioner. Charge sheet has been submitted in this case. It is lastly submitted that there is no compliance of Section 100 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Jaynagar P.S. Case No. 298 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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