

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11865 of 2024

Arising Out of PS. Case No.-268 Year-2023 Thana- SIKTI District- Araria

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Dilip Kumar Mandal @ Dilipmandal @ Dilip Kumar @ Dileep Kumar
Mandal S/O- Late Gayanand Mandal R/O- Village- Bhagraon, Ward No.- 08,
P.S.- Palasi, Dist.- Araria (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sikti P.S. Case No. 268
of 2023, instituted for the offences punishable under Sections
30(a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 1.200 liters
liquor was recovered from one motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present 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. Name of the petitioner
transpired on the basis of allegation that he had given money to



the officials for releasing his friend Santosh Mandal. The petitioner is in custody since 15.10.2023 and has got one criminal antecedent in which he is on bail. 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 Sikti P.S. Case No. 268 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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