

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85283 of 2024

Arising Out of PS. Case No.-252 Year-2024 Thana- Excise P.S. District- Madhubani

Kishan Kumar Mandal S/O Late Raj Kumar Mandal R/o - Gandhi Nagar
Donar, Ward No.17, P.S - Sadar, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 30(a) of the
Bihar Prohibition and Excise Act.

3. The case of the prosecution is that three persons
were going from a tempo, they were apprehended. From that
tempo, altogether 270 liters of the nepali country made liquor
was recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. It is also submitted that the
petitioner was only a passenger on that tempo. It is also clear
from the FIR that Karan Sah is the main accused person. It has



also been submitted that nothing has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 13.09.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6.Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sadar Excise P.S. Case No. 252 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

(Ashok Kumar Pandey, J)

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