

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35585 of 2017

Arising Out of PS.Case No. -140 Year- 2017 Thana -BANKA District- BANKA

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Mahendra Harijan Son of Late Makay Harijan resident of Village - Jagdishpur, P.S. Jagadishpur, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-08-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 10.03.2017 in connection with Banka (Barahat) P.S. Case No. 140 of 2017 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that on secret information, the petitioner was apprehended and from his possession in the bag about 20 litres of foreign liquor and 15 litres of country made wine was recovered.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent, has



been falsely implicated in the aforesaid case and considering the period of custody, a sympathetic consideration be given. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Banka in connection with Banka (Barahat) P.S. Case No. 140 of 2017.

(Nilu Agrawal, J.)

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