

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.50635 of 2017**

Arising Out of PS.Case No. -160 Year- 2017 Thana -SIMRI District- BUXAR

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Harendra Mali, Son of Chana Lal Mali, Resident of Village-Simari  
Dudhipatti, P.S. Simari, District Buxar.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Satyapal Singh, Advocate.

For the Opposite Party : Mr. Navin Kumar Pandey, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      18-10-2017                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is languishing in custody since  
04.08.2017 in a case for the offence registered under Section 30(a)  
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the police  
recovered 60.480 liters of foreign liquor from the motorcycle of  
the petitioner.

It has been submitted by learned counsel for the  
petitioner that the petitioner has falsely been implicated in the  
present case. There is no allegation of tampering with the  
witnesses alleged against the petitioner. 60.480 liters of foreign  
liquor is said to have been recovered from the motorcycle of the



petitioner. It is submitted that the petitioner has not been arrested on the spot. His name has come in course of investigation. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned Additional District & Sessions Judge-IIInd – cum - Special Judge, Excise Act, Buxar, in connection with Simari P.S. Case No. 160 of 2017.

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**(Sudhir Singh, J)**

