

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32541 of 2021

Arising Out of PS. Case No.-23 Year-2021 Thana- KANHHAULI District- Sitamarhi

SHAHID MADARI Son of Lalbabu Madari Resident of Village - Bachharpur,
P.S.- Dumra, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-12-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Kanhauli P.S. Case No. 23 of 2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act 2016.

The allegation is regarding recovery of 186



liters of illicit liquor from a tempo of which the petitioner is stated to be the driver.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 14.2.2021. The learned counsel for the petitioner has further submitted that many passengers were traveling in the said tempo, hence, recovery of illicit liquor cannot be attributed to the petitioner herein.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner



is directed to be enlarged 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 learned A.D.J.II cum Special Judge, Excise Act, Sitamarhi in connection with Kanhauli P.S. Case No. 23 of 2021.

(Mohit Kumar Shah, J)

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