

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41041 of 2021

Arising Out of PS. Case No.-150 Year-2021 Thana- HARLAKHI District- Madhubani

ALAUDDIN RAIN S/O ABDUL GAFUR @ A. GAFUR @ GAFUR RAIN
RESIDENT OF VILLAGE-HARINE, P.S. HARLAKHI, DISTRICT
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Harlakhi PS case no. 150 of 2021 instituted for the
offences punishable under Sections 272, 273/34 of Indian Penal
Code and 30(a) of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 135
liters of illicit liquor from a tempo and the driver was arrested
from the spot who stated that he was bringing the liquor from
the house of the petitioner.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case, is having a clean antecedent and



is languishing in custody since 11.06.2021.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also considering the fact that the tempo does not belong to the petitioner and the name of the petitioner has transpired in the present case merely on the confessional statement of co-accused person namely Kishan Kumar, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani in connection with Harlakhi PS case no. 150 of 2021.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

