

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36153 of 2020

Arising Out of PS. Case No.-117 Year-2020 Thana- GHOGHARDIHA District- Madhubani

Hari Shankar Mali Vilechan Mali, Resident of Village- Mahadeva, Police
Station - Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-01-2021 Heard the learned counsel for the petitioner and
Shri Narsingh Tanti, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Ghoghradiha P.S. Case No. 117 of 2020 for the offence
punishable under Sections 272, 273/34 of the Indian Penal Code
and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 75 liters of
illicit liquor from a tempo.

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 14.07.2020. The learned counsel
for the petitioner, by referring to paragraph no. 7 of the present
petition, has further submitted that neither the auto-rickshaw/



tempo nor the illicit liquor seized by the police belong to the petitioner and he has been falsely roped in the present case.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the materials available on record as also considering the period of incarceration of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd-cum-Special Judge, Excise Act, Madhubani in connection with Ghoghradiha P.S. Case No. 117 of 2020, G.R. No. 834 of 2020..

(Mohit Kumar Shah, J)

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