

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6750 of 2021

Arising Out of PS. Case No.-446 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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HARIKANT SHARMA S/o Mahadev Sharma Resident of Village-Goroul,
District-Vaishali, at resnet Brij Kanti Bibah Bhawan, Village-Susta, P.S.-
Sadar, District-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Dr Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-05-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Muzaffarpur P.S. Case
no. 446 of 2020 registered under section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information
having been received a raid was conducted on the farm house
(marriage hall) and it is stated that two persons i.e. the petitioner
and one Akhilesh Kumar were arrested and on search a total
quantity of 440.640 litres of illicit liquor was recovered from a
Tata Sumo vehicle which was parked in the premises.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case only



for the reason that he was as a guard of the premises. He has no concern with the Tata Sumo vehicle nor with the liquor which was seized from the said vehicle. He has no criminal antecedent and is in custody since 15.8.2020. His case stands on a similar footing to that of co-accused Akhilesh Kumar who has been enlarged on bail vide order dated 19.3.2021 passed in Cr. Misc. no. 2173 of 2021.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the period in custody and grant of bail to the co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Muzaffarpur P.S. Case no. 446 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur.

Prakash/-

(Partha Sarthy, J)

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