

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22204 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- BENIPATTI District- Madhubani

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ASHARFI MANDAL @ ASHARFI CHAUPAL Son of Bhangi Mandal
Resident of village-Uchaith, P.S.-Benipatti, Dist.-Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 11-05-2023 1. Heard learned counsel for the petitioner and
the learned APP for the State.
2. Petitioner seeks regular bail in connection
with Benipatti P.S. Case No.08 of 2023 corresponding to G.R.
No.96 of 2023 dated 15.01.2023 registered for the offence(s)
punishable under Section(s) 272, 273 and 34 of the Indian Penal
Code and Section(s) 30(a) and 37 of Bihar Prohibition and
Excise Act.
3. The main submissions advanced by the
learned counsel for the petitioner are that the instant matter
relates to recovery of 141 litres of illicit liquor and the same is
stated to have been recovered from two places belonging to two
co-accused persons namely Shankar Kumar and Govind Pathak
but the petitioner had no concern with both the said places and



as per allegation he was simply found in an intoxicated state and he has fair and clean antecedent and has been languishing in jail since 16.01.2023 and against him the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner’s fair and clean antecedent and the nature of allegation against him, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner be released on bail in connection with Benipatti P.S. Case No.08 of 2023 corresponding to G.R. No.96 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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