

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71390 of 2022

Arising Out of PS. Case No.-52 Year-2022 Thana- MANIYARI District- Muzaffarpur

Madan Sharma @ Madan Gopal Sharma S/O Late Ram Prasad Sharma @
Ram Prakash Sharma R/O Mohalla- Birampur Kali Mandir, P.S.- Koilwar,
District- Bhojpur (Ara) At Present Village- Bongaigaon Bhakarivita, Ward
No. 06, P.S.- Bongaigaon, District- Bongaigaon, State- Assam

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Narayan Singh

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 420, 466, 468, 471, 120(B), 34 of the Indian

Penal Code and Sections 30(a), 36, 41(1) of the Bihar

Prohibition & Excise Act.

There is recovery of 1916.250 litres of illicit

Indian made Foreign liquor from a truck. The owner-

cum-driver of the truck was arrested and he confessed

the name of the petitioner as one of his associates.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner was not apprehended from the spot. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the seized truck or the arrested person or the recovered foreign liquor. The petitioner has been remanded in this case on 17.08.2022 and since 18.07.2022 he is languishing in custody.

In the facts and circumstance of the case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 11, Muzaffarpur in connection with Maniyari P.S. Case No. 52 of 2022.

(Sunil Kumar Panwar, J)

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