

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41631 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -GUTHNI District- SIWAN

=====

1. Satyendra Giri, son of Birendra Giri, resident of Village- Birani, Police Station- Bankatta, District- Deoria (Uttar Pradesh).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Smt. Sahin Begam

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 13.03.2017 in connection with Guthani P.S. Case No. 39 of 2017 for offences punishable under Sections 272, 273, 308 of the Indian Penal Code and Sections 41(i), 30(A), 38(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the informant, is that the petitioner was apprehended in a Bolero car while trying to flee away and from the car 216 litres of foreign liquor was recovered. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and



nothing has been recovered from his conscious possession. He submits that he was just the driver of the vehicle, the seized illicit liquor did not belong to him and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge-2nd cum Special Judge, Siwan, in connection with Guthani P.S. Case No. 39 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner and if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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

