

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31412 of 2018

Arising Out of PS. Case No.-698 Year-2017 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Girdhariya @ Girdhari Kumar S/o Shiv Balak Bhagat, R/o Vill.- Adharpur,
P.S.- Samastipur (Muffasil), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Adv, Mr. Thakur Bikram
Singh, Adv and Mr. Mukesh Kumar, Adv
For the Opposite Party/s : Mr. Sri Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 22-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with **Samastipur (Muffasil) P.S. Case No. 698 of 2017**
registered for the offence punishable under Sections 30, 36, 38,
40 and 47 of the Bihar Prohibition and Excise Act, 2016.

On 23.11.2017 at about 10:30 informant who is the
Assistant Sub Inspector of Police, on secret information along
with other police officials raided village Adharpur and at a
distance of 100 yards from the abandoned house of Chandan
Kumar recovered 750ml x 7, 375ml x 240, 180ml x 240.

It has been submitted on behalf of the petitioner that



the petitioner has been falsely implicated in this case due to village politics. It has been further submitted that nothing has recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge-Vith cum Special Judge, Excise, Samastipur** in connection with **Samastipur (Muffasil) P.S. Case No. 698 of 2017** subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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