

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53940 of 2018

Arising Out of PS.Case No. -242 Year- 2018 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

=====

Girdhari Yadav @ Ghirdhari Kumar, S/o. Shiv Balak Rai @ Shiv Balak
Bhagat, R/o. Village- Adharpur, P.S.- Samastipur Muffasil, District-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Thakur Bikram Singh

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 31-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 30, 36, 38, 41 and 47 of the
Bihar Prohibition and Excise Act, 2016.

393.480 litres of foreign liquor is said to have been
recovered from the newly built Anganwari Kendra which is said to
have been kept there by the petitioner and two other accused
persons who managed to escape seeing the police personnel from
the aforesaid place.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern



either with the seized liquor or with the place of recovery or any trade of liquor. The identity and genuineness of the sources of information has not been mentioned in the written report of the informant. He was not apprehended on the spot. Though one more criminal case under the Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 12.07.2018. Similarly situated co-accused persons, namely, Mukesh Rai and Vijay Bhagat have been enlarged on bail by a co-ordinate bench of this court vide order dated 20.08.2018 passed in Cr. Misc. No. 50689.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned ADJ-VI cum Special Judge, Excise, Samastipur in connection with Samastipur Muffasil P.S. Case No. 242 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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

