

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2600 of 2019

Arising Out of PS. Case No.-750 Year-2018 Thana- MOTIPUR District- Muzaffarpur

Nawal Giri s/o Late Mahadev Giri Resident of Village- Nariyar Nawada
Pachhiyari Tola, P.S. Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raju Kumar Goswami
		Mr. Pradhan Murli Manohar Prasad
For the Opposite Party/s :		Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-03-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Motipur P.S. Case No.
750/2018, instituted for offence under Section(s) 302, 120B,
328/34 of the Indian Penal Code read with Sections 33, 34(a)(b)
of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that
petitioner has been made accused in this case merely on
suspicion.

It is alleged in the written report that on the date of
occurrence, husband of informant had gone to drink toddy in the
shop of Sanjay Rai. Husband of informant did not return in
night then she made search. Thereafter she learnt from villagers



that her husband is lying on a Khat at the Bathan of his uncle. The informant reached there and found her husband lying dead. Smell of sprit was coming from his mouth. Informant raised suspicion that her husband has died due to sale of illicit sprit in the shop of Sanjay Rai.

Learned counsel for the petitioner has submitted that this petitioner has been made accused in this case on the ground that 35 litres of sprit was recovered from his house. Besides this there is no any other allegation against this petitioner.

It is mentioned in para 3 of bail petition that one more case of Excise Act is pending against this petitioner.

Petitioner is in custody since 05.10.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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 Special Judge, Excise Act, Muzaffarpur, in connection with Motipur P.S. Case No. 750/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

The petitioner will file affidavit at the time of filing bail bond that he would not indulge in such type of activity in



future. In the event, he is found indulged in such type of activity,
his bail bond in the instant case will liable to be cancelled.

(Sanjay Priya, J)

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