

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19403 of 2019

Arising Out of PS. Case No.-90 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

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OM PRAKASH GIRI @ JHAPRU GIRI @ OM PRAKASH @ JAHGARU
@ JHAGRU GIRI, Son of Late Kapildeo Giri, Resident of Village - Lakhraw,
P.S.- Siwan Muffasil, Distt - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Pronoti Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 23.02.2019 in a case registered for the offences punishable under Sections 37(B), (C) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the petitioner was found creating nuisance in inebriated condition in front of his own house situated near the railway track.

It is submitted by learned counsel for the petitioner that nothing has been recovered from the conscious physical



possession of the petitioner and without conducting breath analyzer test, only on the basis of suspicion, the accusation has been levelled against the petitioner. It is further submitted by the learned counsel for the petitioner that the petitioner is accused in four other cases apart from the present case, but in three of those cases he is on bail.

Learned APP for the State submits that the petitioner has serious antecedent.

Considering the nature of accusation and period under custody, let the above named petitioner 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 learned **2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan** in connection with **Siwan Muffasil P.S. Case No.90 of 2019.**

Since the petitioner is having serious criminal antecedent, learned Court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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