

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21632 of 2020

Arising Out of PS. Case No.-48 Year-2020 Thana- MAHUA District- Vaishali

=====

MUKESH GIRI Son of Late Umesh Giri Resident of Village-Kutubpur
Bilandpur, Police Station-Mahua, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the State : Mr. Nawal Kishore Prasad, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2020 Heard Mr. Anil Kumar, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned

Additional Public Prosecutor appearing for the State

through video conferencing.

Learned counsel for the petitioner is directed to
remove the defect(s) as pointed out by the Stamp Reporter
within eight weeks.

Petitioner seeks regular bail in connection with
Excise Case No. 99 of 2020 arising out of Mahua P.S. Case
No. 48 of 2020 registered for the offences punishable under
Sections 30(a), 32(ii), 34(ii), 38(ii) and 41(i) of the Bihar
Excise and Prohibition Act, 2016.

The allegation against the petitioner is that the



Police raided the house of the petitioner and recovered a total quantity of 1104.05 litres of illicit liquor.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. Learned counsel further submits that the other co-accused persons have been involved in the business of liquor and they had dumped the illicit wine in a bamboo clump at a distance of about 250-300 feet from the house of the petitioner. Learned counsel further submits that the petitioner is running a stationary shop and he has no concern with the alleged wine. The petitioner is in custody since 31.01.2020 having clean antecedent.

Having regard to the submissions made by the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and he is in custody since 31.01.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd



Additional District and Sessions Judge-cum-Excise Court,
Vaishali at Hajipur, in connection with Excise Case No. 99
of 2020 arising out of Mahua P.S. Case No. 48 of 2020.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding
lockdown and social distancing.

(Anil Kumar Sinha, J)

S.Ali/-

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

