IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43361 of 2021
Arising Out of PS. Case No.-1 Year-2021 Thana- VAISHALI District- Vaishali

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GUDDU SINGH @ GUDDU KUMAR Son of Jagdish singh Resident of village - Manora, P.S. Belsar (O.P.), District - Vaishali.

... ... Petitioner/s

Versus

The State of Bihar ... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms.Pratima Kumari, APP
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 15-12-2021 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Vaishali (Belsar O.P.) P.S. Case No. 01 of 2021 for the offence registered under Section 30(a) of the Bihar Prohibition of Excise Act, 2016, Section 27 of the Arms Act and Sections 307, 353/34 of the Indian Penal Code.

The allegation is regarding the police having reached near the house of the co-accused person namely Dhirendra Singh and when they were trying to proceed to his house, the said Dhirendra Singh is stated to have fired from his small fire arm from the western portion of his house, however, the police had then made him surrender and then the police had made a search of the house of the said Dhirendra Singh from where 52.920 litres of Indian made foreign liquor was recovered. The petitioner is stated to be the person who had fled away from the spot.

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The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 12.06.2021.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein and the fact that the main allegation is against the co-accused person namely Dhirendra Singh, as aforesaid, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Special Judge, Excise Court, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No. 01 of 2021.

(Mohit Kumar Shah, J)

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