

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42638 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- SARAI District- Vaishali

GAUTAM GIRI @ GAUTAM KUMAR GIRI, aged about 30 years (M) son
of Arun Giri, resident of Kutubpur, P.S. Mahua, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 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
Sarai P.S. Case No. 43 of 2020 for the offence registered under
Section 30(a) of the Bihar Prohibition and Excise act, 2016.

The allegation is regarding recovery of 1238.4 litres
of illicit Indian made foreign liquor from the boring room
situated in the agricultural field of the co-accused person
namely Madhusudan Singh and the petitioner was named by the
co-villager to be one of the perpetrators of crime.

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 24.01.2021.

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 admittedly the place from where the illicit liquor has been recovered, does not belong to the petitioner, 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 Additional Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur in connection with Sarai P.S. Case No. 43 of 2020.

(Mohit Kumar Shah, J)

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