

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24855 of 2022**

Arising Out of PS. Case No.-42 Year-2021 Thana- SAMASTIPUR MUFFASIL District- Samastipur

Girdhari Kumar Son of Shivbalak Bhagat Resident of Village- Aadharpur  
P.S.– Muffasil, Dist- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance:**

For the Petitioner : Mr. Anshu Dhar Sharma, Advocate  
For the Opposite Party : Mr. Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      28-09-2022                      Learned counsel for the petitioner shall remove all the defects pointed out by the stamp reporter within three weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

This is the second attempt of the petitioner to obtain bail in connection with Muffasil P.S. Case No.42/2021 registered for the offences under Sections 30(a), 32(2) of the Bihar Prohibition and Excise Amendment Act, 2018. The petitioner has got four criminal antecedents. He is in custody since 24.01.2021.

Earlier the prayer for bail of the petitioner was rejected vide order dated 04.10.2021 passed in Cr. Misc. No. 27055 of 2021 granting liberty to the petitioner to renew his prayer for bail after six months if the trial is not concluded.



Learned counsel for the petitioner submits that the petitioner has remained in custody for more than one and a half year but the trial has not progressed.

Learned APP for the State has though opposed the prayer for bail of the petitioner but does not dispute the aforesaid submission.

Having regard to the observation of this Court granting liberty to the petitioner to renew his prayer for bail after six months if the trial is not concluded, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No. 1, Samastipur in connection with Samastipur Muffasil P.S. Case No.42/2021, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedents of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be



delayed for purpose of or in the name of verification.

Certified copy of the order will be made available  
only after removal of the defects.

**(Rajeev Ranjan Prasad, J)**

lekhi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

