

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44083 of 2021**

Arising Out of PS. Case No.-113 Year-2021 Thana- GUTHANI District- Siwan

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KANHAIYA JAISWAL @ KANHAI JAISWAL Son of Madan Jaiswal  
Resident of Village- Bhawrajpur, P.S.- Andar, District- Siwan. At present  
Srinagar, P.S.- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      10-01-2022                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, a Bolero vehicle being driven by this petitioner was stopped and on search 450 litres of country made liquor was recovered from the vehicle.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. He has no concern with the seized liquor nor with the vehicle in question and does not even know how to drive. He is in custody



since 5.6.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioner not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Guthani P.S. Case no. 113 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District Judge 2<sup>nd</sup> – cum – Special Judge, Excise, Siwan.

**(Partha Sarthy, J)**

Spd/-

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