

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46547 of 2021**

Arising Out of PS. Case No.-135 Year-2021 Thana- GAIGHAT District- Muzaffarpur

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GOVIND HOTLA @ GOBIND HOTLA @ GOBID S/o Prem Hotla R/o
Village- Anand Parvat, P.S.- Anand Parvat, District- West Delhi, State- Delhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-02-2022 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 sections 272, 273, 414 and 34 of the Indian Penal Code and sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, a total of 558.72 litres of IMFL was recovered from a truck being driven by this petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case for oblique reasons. No incriminating article has been recovered from his possession or his truck. He is in custody since 30.3.2021 and has no criminal antecedent. Chargesheet has been



submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner is a resident of outside the State of Bihar.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having any criminal antecedent and having remained in custody for over 10 months, the Court directs the petitioner to be enlarged on bail in connection with Gaighat P.S. Case no. 135 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 Special Judge, Excise Act, Muzaffarpur, subject to the following conditions:

1. One of the bailors shall be a close relative of the petitioner.

2. The other beilior shall be resident of a place within the jurisdiction of the learned trial Court.

(Partha Sarthy, J)

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