

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5693 of 2023

Arising Out of PS. Case No.-866 Year-2022 Thana- BODHGAYA District- Gaya

GIRDHARI KUMAR Son of Lakhan Yadav R/V- Jhanjhi P.s- Dhangai Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar
For the Opposite Party/s : Mr. Pushpa Sinha.1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Bodhgaya P.S. Case No. 866 of 2022,
registered for the offences punishable under Sections 30(a) of
Bihar Prohibition and Excise (Amendment) Act, 2022.

The learned counsel for the petitioner has submitted
that he is innocent and has falsely been implicated in this case
for the allegation that 24 litres of liquor were recovered from the
possession of pillion rider of the motorcycle to which the
petitioner was driver. He is under custody since 11.12.2022.

Considering the above-mentioned facts and
circumstances as well as the clean antecedent of the petitioner



and his period of detention, let him be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum-Exclusive Special Excise Court-1, Gaya in connection with Bodhgaya P.S. Case No. 866 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Sudha/Mahesh

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