

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13514 of 2023

Arising Out of PS. Case No.-956 Year-2022 Thana- FATUA District- Patna

Siddhnath Giri @ Shidnath Giri S/O Devendra Giri Resident Of Village-
Paharpur, P.S.- Islampur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bijendra Kumar, Advocate
		Mrs. Pravina Kumari, Advocate
For the Opposite Party/s	:	Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a), 37(2) of the Bihar Prohibition and Excise Amendment Act.

The prosecution case relates to recovery of total 150 liters country made mahua wine, containing in jute sacks, which was recovered from a garden situated at the bank of Punpun river.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner has no



concern with the alleged recovery and nothing has been recovered from his conscious possession rather it recovered from an open place. He has got no criminal antecedent. It is further submitted that the seizure list has not been prepared as per provision of u/s 100 of the Cr.P.C.. The petitioner is languishing in judicial custody since 28.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fathua P.S. Case No. 956 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City.

(Sunil Kumar Panwar, J)

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