

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22156 of 2023

Arising Out of PS. Case No.-365 Year-2022 Thana- SARAI RANJAN District- Samastipur

SHIVENDRA KUMAR GIRI Son of Saroj Kumar Giri R/o village - Bathua
Buzurg, P.S.- Musarigharari, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with Sarai Ranjan P.S. Case No. 365 of 2022 registered for the offence under Sections 147, 148, 149, 332, 307, 353, 504, 420, 467, 468, 471 of the I.P.C., Sections 25(1-b)a, 26, 27, 35 of the Arms Act and Sections 30(a), 32(i)(ii), 36, 41(1), 45, 62 of the Bihar Prohibition and Excise Act.

As per prosecution case, when the police reached at Sahil enterprises situated at Village Kankalipur, the accused persons started firing and creating hindrance in discharging the official duty to the police personnel. Thereafter, police arrested some of them and sized the vehicles as well illicit liquor from the place of occurrence. The petitioners are said to have



indulged in business of illicit liquor.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case because he is brother of the named accused. From perusal of FIR, there is no specific allegation of firing is attributed to this petitioner. The petitioner has no concern with the alleged recovery of liquor or with seized vehicles. It is also submitted that the injury sustained by police officials are simple in nature. Moreover, co-accused namely, Mukesh Kumar, Sumit Kumar and Vikram Kumar have already been enlarged on bail from this Court vide order dated 23.06.2023 passed in Cr. Misc. No. 15224 of 2023. Petitioner is languishing in judicial custody since 27.02.2023.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sarai Ranjan P.S. Case No.365 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)-02, Dist- Samastipur/ concerned Court.

(Sunil Kumar Panwar, J)

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