

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55905 of 2023

Arising Out of PS. Case No.-186 Year-2023 Thana- DURAULI District- Siwan

Himanshu Giri S/O Krishnmohan Giri R/O Village- Sarwaha Mathiya, P.O-
Sarwaha, Ps. Durauli, Dist. Siwan, Bihar-841239

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Riya Giri

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a)/41(I) of the Bihar Prohibition and Excise Act & section 414 of I.P.C.

3. As per FIR, prosecution case relates to recovery of total 63 liters of illicit liquor from a car bearing Registration No. JH10F-4431 and the petitioner is said to have indulged in illicit trade of liquor.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent as stated in para-3 of the bail petition. Petitioner has no concern with the alleged recovery of illicit liquor or with the vehicles in



question. He has only taken lift from the aforesaid car and due to which he has falsely been implicated in this present case. No any incriminating article has been recovered from conscious possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 9.7.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Durauli P.S. Case No. 186 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Siwan.

(Sunil Kumar Panwar, J)

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