

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71350 of 2022

Arising Out of PS. Case No.-161 Year-2022 Thana- BISHWAMBHARPUR District-
Gopalganj

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Mohan Giri @ Baba S/O Gambhir Giri Resident Of Village- Khajuriya, P.S.-
Rampur Khajuriya District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh
For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for
grant of regular bail in connection with Bishambarpur P.S. Case
No. 161 of 2022 registered under sections 30(a) and 41 Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 224.640 liters
of country made liquor from a Scorpio Car bearing Registration
No. MH43A1999 and the petitioner along with one co-accused
arrested by the police from that vehicle after chase. Further,
some cash and three mobiles have been recovered from the
possession of the petitioner.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that petitioner has no concern either with the seized liquor or with the alleged offence. Nothing incriminating has been recovered from his conscious possession. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 25.09.2022.

The application for bail is opposed by learned APP for the State and submitted that the petitioner was arrested by the police on chase from the seized vehicle where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 30,000/-(Thirty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bishambarpur P.S. Case No. 161 of 2022 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 A.D.J. II,
Gopalganj.

The bail bonds of the petitioner shall be accepted by
the learned court below on showing the receipt of deposit of Rs.
30,000/- (Thirty Thousand) by the petitioner in the account of
the concerned DLSA.

(Sunil Kumar Panwar, J)

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