

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2580 of 2020

Arising Out of PS. Case No.-257 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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MUKESH KUMAR Son of Late Bindeshwari Singh Resident of Village -
Rajokhar, P.S.- and Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar .

.. .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Harendra Prasad
For the Opposite Party/s :	Mrs. Anita Kumari Singh
	Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 19-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Mrs. Anita Kumari Singh, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Gopalganj P.S. Case No. 257 of 2019 for the offence punishable under Sections 414/34 of the Indian Penal Code and Sections 30 and 30(a) of the Bihar Prohibition and Excise Act, 2018.

The case of the prosecution in brief is that the Police is alleged to have intercepted a pick up van and recovered 1728 litres of illicit liquor and the co-accused person, namely, Gufran



was arrested, who is stated to have taken the name of the petitioner herein as his accomplice.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 05.12.2019.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case as also considering the fact that the name of the petitioner has transpired in the present case upon the confessional statement of the co-accused person and no recovery of illicit liquor made from the house or vehicle of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District Judge-cum-Special Judge, Excise, Gopalganj in connection with Gopalganj P.S. Case No. 257 of 2019.

(Mohit Kumar Shah, J)

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