

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18008 of 2020

Arising Out of PS. Case No.-39 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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SHATRUGHAN KUSHWAHA @ SHATRUGHAN PRASAD Son of
Rajendra Kushwaha @ Rajendra Prasad Resident of Village - Karariya @
Kararia, Police Station - Gopalganj, District - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jai Shanker Prasad
For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 13-05-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
& Excise Amendment Act, 2018.

Allegation is recovery of 519.12 litres illegal wine
from a Bolero vehicle and driver of the vehicle managed to flee
away.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has falsely been implicated in this
case due to dirty village politics. It has further been submitted
that FIR is against unknown and name of the petitioner has



surfaced in this case on the confessional statement made by Sima Devi, who is on inimical term with petitioner, and except said confessional statement, there is no any other incriminating material against the petitioner. Petitioner has no criminal antecedent and he is in custody since 07.02.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Excise Case No.39 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

Sanjay/-

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(S. Kumar, J)

