

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24453 of 2020

Arising Out of PS. Case No.-49 Year-2020 Thana- GOPALPUR District- Gopalganj

NITISH KUMAR S/o Ramashish Sah Resident of Village- Amtha Bhuwan,
P.S.- Unchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad, Adv.

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-09-2020 Heard Mr. Harendra Prasad, learned counsel for the

petitioner and Mr. Rajesh Kumar, Additional Public Prosecutor

for the state through video conferencing.

2. Petitioner seeks regular bail in connection with

Gopalpur PS Case No. 49/2020 registered for the offence

punishable under Sections 272, 273, 420 of the IPC and under

Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

3. The prosecution story in short is that the police

intercepted the motorcycle of the petitioner and recovered total

quantity of 21 litres of illicit liquor from the same.

4. Learned counsel for the petitioner submits that the

petitioner has been implicated in this case by the police.

Learned counsel further submits that the motorcycle in question

does not belong to the petitioner and he is in custody since

12.03.2020.

5. On the other hand, learned counsel for the State

submits that the petitioner has got criminal antecedents



inasmuch as the case being of the similar nature are pending against him.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the motorcycle in question does not belong to the petitioner and he is in custody since 12.03.2020, I am inclined to grant regular bail to the petitioner subject to the condition that petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

7. Accordingly, let the petitioner, NITISH KUMAR be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj in connection with Gopalpur PS Case No. 49/2020.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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