

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26391 of 2020

Arising Out of PS. Case No.-87 Year-2020 Thana- GOPALPUR District- Gopalganj

Santosh Kumar, aged about 33 years, Male, S/o Banka Bhagat, Resident of Village-Shahpur Pakdihar (Sahpur Pakdihar), P.S-Gopalpur, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai, Advocate
For the State : Mr.Chaudhary Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-10-2020

Heard the parties through the virtual court proceeding.

Since physical court proceeding is not functioning due to present Pandemic Covid-19, the matter is listed with defect.

Learned counsel for the petitioner undertakes to remove the defect within three weeks of normal functioning of the court after the lockdown, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in connection with Gopalpur P.S. Case No. 87 of 2020 registered for the offences punishable under Sections 188, 269, 270, 272, 273, 420 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Amended Act, 2018.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner rather 61.200 liters of foreign liquor has been recovered from the back seat of the motorcycle of the petitioner. He further submits that the similarly situated co-accused in the present case



has been granted bail by a Co-ordinate Bench of this Court and petitioner is in jail custody since 10.05.2020.

Learned A.P.P. for the State opposed the bail petition.

Petitioner is agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) in the CM Relief Fund, bearing Account No.2065104000002257, IFSC Code: IBKL0002065, Bank – IDBI, Branch – Kidwaipuri, Patna.

In the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-2nd-cum-Special Judge, Excise, Gopalganj in connection with Gopalpur P.S. Case No. 87 of 2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000/- (Rupees Ten Thousand) in the CM Relief Fund.

(Anjani Kumar Sharan, J)

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