

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21953 of 2020

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

Rohit Kumar Mali, Son of Jagdish Mali @ Jagdish Kumar, Resident of Village - Harkhauli East Tola, At present residing at Mirganj Railway Dhala, Ward No. 14, P.S.- Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-07-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Gopalpur P.S. Case No.87 of 2020 instituted for the offence 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, 2018.

Having no criminal antecedents, petitioner's counsel submits that the petitioner is in custody since 10.05.2020. The recovery is alleged, as per the F.I.R., from the Bolero vehicle on which the petitioner was allegedly seated and travelling. He has no concern with the vehicle and therefore, the petitioner's implication is without any basis.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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 the learned Additional Sessions Judge-II-Cum Special Judge (Excise), Gopalganj, in connection with Gopalpur P.S. Case No.87 of 2020 , subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well



represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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