

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26381 of 2020

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

KAMLESH SINGH Son of Viswanath Singh @ Bishnath Singh Resident of
Village - Sangwadih Deurwa Gaddi Tola, P.S.- Gopalgpur, District - Gopalganj
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Humayu Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-10-2020 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 for the petitioner and Shri Humayu Ahmad Khan, the learned A.P.P. appearing for the State.

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

The allegation is regarding recovery of 56 litres of illicit liquor from the vehicle in which the petitioner was found to be travelling.



The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 10.05.2020. It is further submitted that the petitioner is neither the owner nor the driver of the vehicle in question.

The learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioner is having a clean antecedent and he is neither owner nor the driver of the vehicle in question, 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 regular bail on furnishing bail-bonds of Rs. 10,000/- 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.

(Mohit Kumar Shah, J)

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