

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26797 of 2020

Arising Out of PS. Case No.-146 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

SANJAY BARNAWAL Son of Prahalad Baranwal Resident of Sasamusa,
P.S.- Kuchaikote, District – Gopalganj Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-10-2020 Heard Mr. Indrajeet Bhushan, learned counsel for the petitioner and Shyam Kumar Singh, Additional Public Prosecutor for the state through video conferencing.

Petitioner seeks regular bail in connection with Kuchaikote PS Case No. 146/2020 registered for the offence punishable under Sections 188, 269, 29 of the IPC and 30(a)(b) of Bihar Prohibition & Excise (Amendment) Act 2018.

The prosecution story, as per First Information Report, is that the police intercepted a Swift Dezire bearing BR01-BR 1382 and apprehended two persons sitting in the said car and also recovered 107.400 Litres of illicit country made liquor and name of the petitioner has been disclosed by the arrested co-accused, who stated that they were going to deliver the liquor to one, Sanjay Barnawal i.e., petitioner.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of statement made by the arrested co-accused persons. Learned counsel further submits that no illicit liquor has been recovered



from the conscious possession of the petitioner and the petitioner is not the owner of the car from where the recovery was made.

Learned counsel for the petitioner next submits that petitioner is in custody since 27.05.2020.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 27.05.2020 having no criminal antecedents, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SANJAY BARNAWAL 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 learned Additional District & Sessions Judge-II-cum-Special Judge, Gopalganj in connection with Kuchaikote PS Case No. 146/2020.

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

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(Anil Kumar Sinha, J)

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