

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22841 of 2020

Arising Out of PS. Case No.-362 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

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SANDEEP KUMAR Son of - Late Thakur Prasad @ Late Thakuri Prasad
Resident of Village- Rajokhar Nawada, At present Khap Maksudpur, Police
Station - Nagar Gopalganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.A.G.

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-09-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 414/34 of the Indian Penal Code and Section 30(a) & 41(i) of the Bihar Prohibition and Excise Act, 2016.

Informant in his written report has alleged that he received secret information that petitioner and FIR named accused runs a tent house and are selling illicit liquor under the guise of same and on receiving such information, when he raided the tent house after seeing the police party petitioner and other co-accused Pappu Kumar tried to flee away but petitioner was apprehended at the spot. Petitioner disclosed the name of



person who managed to flee away as Pappu Kumar. 15 litre of illicit liquor was recovered concealed in a sack.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion only. Nothing has been recovered from the possession of the petitioner. The Gumti and Karkat house from which illicit liquor was recovered does not belong to the petitioner. Petitioner has got no criminal antecedent and is in custody since 21.06.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Gopalganj Town P.S. Case No. 362 of 2020**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.



(4). If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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