

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15903 of 2021

Arising Out of PS. Case No.-449 Year-2020 Thana- GOGRI District- Khagaria

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SARVESH KUMAR S/O LATE PRAMOD YADAV RESIDENT OF
VILLAGE USRI, P.S-GOGRI, DISTRICT-KHAGARIA.

... ... Petitioner.

Versus

THE STATE OF BIHAR

... ... Opposite Party.

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Appearance :

For the Petitioner : Mr. Indrajit Kumar, Advocate.
For the State : Mr. Mithlesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

4 23-11-2021 The applicant/accused in Crime No.449 of 2020 registered with Police Station-Gogri for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act by this application is seeking his release on bail after filing of the charge-sheet.

Heard learned counsel appearing for the applicant/accused.

He submitted that co-accused Ravi Shankar Kumar and Pawan Kumar are already released on bail vide order dated 08.07.2021 and 28.06.2021 by this Court in Criminal Misc. Nos.17352 of 2021 and 11540 of 2021. It is further stated that the allegation against these accused persons and the present applicant is same.

Learned Additional Public Prosecutor opposed the



application by contending that from one room 10.407 liters illicit liquor came to be seized apart from cough syrup.

I have perused the charge-sheet as well as the F.I.R.

The applicant is identically placed with co-accused Ravi Shankar Kumar and Pawan Kumar. Hence, he is entitled for same treatment as is given to these accused persons. Therefore, the order:

(i). The application is allowed.

(ii) The applicant/accused in Crime No.449 of 2020 registered with Police Station-Gogri for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act is directed to be enlarged on bail on executing P.R. bond of Rs.25000/-(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not repeat commission of



similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

(A. M. Badar, J)

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