

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24475 of 2021

Arising Out of PS. Case No.-123 Year-2020 Thana- RAJEPUR District- East Champaran

Mukesh Kumar @ Mukesh Bhagat son of Shambhu Bhagat Resident of
village- Bulakitola, P.S- Rajepur, Dist- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2021 Heard learned counsel for the petitioner and Shri
Aditya Narayan Singh, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rajepur P.S. Case No. 123 of 2020 dated 28.09.2020 instituted
for the offences under Sections 272 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016 read with Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the F.I.R. it would
manifest that the informant had alleged that 800 litres of spirit,
two country-made pistol and two live cartridges were recovered
from the *verandah* of the father of this petitioner and it is
alleged that on seeing the police the petitioner fled.

The learned counsel for the petitioner further submits



that Shambhu Bhagat has been granted privilege of anticipatory bail by order dated 17.09.2021 in Cr. Misc. No. 34732 of 2021 and Jaichandra Bhagat has also been granted privilege of anticipatory bail by the order dated 15.06.2021 in Cr. Misc. No. 33102 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 25.12.2020, charge-sheet has been submitted in the case and the co-accused have been granted the privilege of anticipatory bail by this Court, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, East Champaran, Motihari in connection with Rajepur P.S. Case No. 123 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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