

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32591 of 2021**

Arising Out of PS. Case No.-70 Year-2021 Thana- PHULPARAS District- Madhubani

RISHIKANT BHAGEL @ RISHIKANT BANSAL Son of Rajveer Singh
Resident of Village- Khangari, P.S.- Kwarsi, District- Aligarh, State- U.P.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Aditya Narain Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 17-12-2021 Heard Mr. Jitendra Kumar Bharti, learned counsel

for the petitioner and Mr. Aditya Narain Singh, learned

Additional Public Prosecutor appearing for the State through

video conferencing.

Petitioner seeks regular bail in connection with

Phulparas P.S. Case No. 70 of 2021 registered for the offence

punishable under Section 30(a) of the Bihar Prohibition and

Excise (Amendment) Act, 2018.

The allegation, as per the First Information Report, is

that Police on the basis of secret information that a consignment

of liquor has been brought in two trucks, proceeded towards the

place of occurrence, and recovered a total quantity of 1893.600

litres of illicit liquor from Truck No. UP81CT-1684 and arrested

two persons namely, Bhola Singh (Driver) and the petitioner



(*Khalasi*) of the aforesaid truck. It has further been alleged that from another truck bearing Registration No. BR115-4121, 2741.760 litres illicit IMFL was recovered.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has got no criminal antecedent. Learned counsel further submits that similarly situated co-accused person i.e. driver of the truck namely, Bhola Singh has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 32397 of 2021. He next submits that the petitioner is in custody since 10.2.2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court, the petitioner is in custody since 10.2.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds 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, Excise Act, Madhubani, in connection with Phulparas P.S. Case No. 70 of 2021 subject to the condition that one of the bailors shall be local and resides within the territorial jurisdiction of the said Police Station.

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

(Anil Kumar Sinha, J)

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