

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.664 of 2021

Arising Out of PS. Case No.-180 Year-2019 Thana- PARBATTa District- Khagaria

GUNJESH KUMAR, Son of Shreelal Yadav @ Srilal Yadav Resident of
Village - Baisa, P.S.- Maraiya (Parbatta), Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-03-2021 Heard Mr. Binod Kumar, learned Counsel for the
petitioner and Mr. Umesh Lal Verma, learned Additional Public
Prosecutor for the State.

This application, for grant of regular bail, arises out
of Parbatta (Maraiya) Police Station Case No. 180 of 2019, G.R.
No.1383 of 2019, disclosing offences under Section 30(a) of the
Bihar Prohibition and Excise Act.

The allegation, as per the First Information Report is
that police on the basis of secret information proceeded towards
the house of co-accused, Sri Lal Yadav and upon seeing the
police party, co-accused, Sri Lal Yadav and the petitioner
succeeded in fleeing away from the place of occurrence.
However, the police recovered a total quantity of 51.75 litres of
illicit liquor from the garden of the co-accused, Sri Lal Yadav.



Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to oblique motive. Learned counsel next submits that no illicit liquor has been recovered from the conscious possession of the petitioner and the same has been recovered from the garden of co-accused, Sri Lal Yadav. Learned counsel next submits that the petitioner has got no criminal antecedent of similar nature of offence and he is in custody since 24.09.2020 and the chargesheet has already been submitted against the petitioner and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 24.09.2020 having no criminal antecedent of similar nature and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Gunjesh Kumar, 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 Special Judge (Excise) Act, Khagaria, in



connection with Parbatta (Maraiya) Police Station Case No. 180
of 2019, G.R. No.1383 of 2019.

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

(Anil Kumar Sinha, J.)

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