

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41057 of 2020

Arising Out of PS. Case No.-87 Year-2020 Thana- GOPALPUR District- Gopalganj

SARAL BHAGAT Son of Mangal Bhagat R/o Village- Shahpur Hata Tola,
P.S.- Gopalpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-03-2021 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Gopalpur P.S. Case no. 87 of 2020 registered under sections 188, 269, 270, 272, 273 and 420 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, four accused persons were arrested who disclosed the name of the other persons who had managed to escape including the petitioner herein. It is stated that a total of 700.870 litres of illicit liquor was recovered from the motorcycle and the *Bolero* vehicle.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested on the spot nor any



incriminating article has been recovered from his possession. The petitioner is neither the owner nor the driver of any of the vehicles. He has no criminal antecedent and is in custody since 29.09.2020. His case stands on better footing than co-accused Santosh Kumar and Kamlesh Singh, who were arrested on spot and have been enlarged on bail.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case and the petitioner being in custody since 29.9.2020, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Gopalpur P.S. Case no. 87 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II-cum-Special Judge, Excise, Gopalganj.

(Partha Sarthy, J)

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