

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14979 of 2022**

Arising Out of PS. Case No.-119 Year-2020 Thana- GOPALPUR District- Gopalganj

SARWESH GIRI Son of Rajkishore Giri Residence of Shahpur Dumariya,
P.S.- Gopalpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 29-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 272, 273, 420 of the Indian
Penal Code read with Section 30(a) of the Bihar Prohibition and
Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 16.12.2021, charge-sheet has been
submitted and has antecedent of nine cases.

Allegation is of recovery of 1095.2 litre of liquor from
a pickup van.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot and his name came in



the confessional statement of co-accused. Learned counsel further submits that merely because antecedent of the petitioner, he came to be implicated by the police.

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, charge-sheet has been submitted and was not arrested from the spot and name of the petitioner came in the confessional statement of the co-accused which has no evidentiary value in the eye of law, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Gopalpur P.S. Case No. 119 of 2020.

(Satyavrat Verma, J)

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