

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38022 of 2021

Arising Out of PS. Case No.-650 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

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BHUSHAN KUMAR @ BHUSHAN BHAGAT Son of Udaychandra Bhagat
@ Uday Bhagat @ Unday Narayan Bhagat Resident of Village- Banjari, P.S.
and Dsitric- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Sanjana, Advocate
Mrs. Setu Prateek, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-01-2022 Heard learned counsel for the parties through video
conferencing.

Petitioner seeks regular bail in connection with
Gopalganj (Town) P.S. Case No. 650 of 2020 registered for the
offence under Sections 30(a), 41 (1) of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

279 liters of illicit country made liquor has allegedly
been recovered beside the house of the petitioner.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case with oblique
motive and from perusal of the seizure list it would be evident
that illicit liquor has been recovered from an open land situated



beside the house of the petitioner and not from the conscious possession or the premises belonging to him, the petitioner is in custody since 19/03/2021 having no criminal antecedent.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, illicit liquor has not been recovered from his conscious possession or the premises belonging to him, he is in custody 19.03.2021 having no criminal antecedent 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 bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd cum Special Judge Excise Act, Gopalganj in connection with Gopalganj (Town) P.S. Case No. 650 of 2020.

(Anil Kumar Sinha, J)

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