

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40421 of 2021

Arising Out of PS. Case No.-715 Year-2020 Thana- KHAGARIA District- Khagaria

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GOURAV KUMAR Son of Medani Yadav @ Medi Yadav Resident of
Village- Baluahi, P.S.- Khagaria, District- Kahgaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pravin Agrawal
		Mr.Santosh Kumar Singh
For the Opposite Party/s :		Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-01-2022 Heard the parties through video conferencing.

Petitioner seeks regular bail in connection with
Khagaria P.S. Case No. 715 of 2020 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

Police on the basis of secret information arrived near
Lord Hanuman temple and upon seeing Police party persons
standing there started fleeing away, however, one person
namely, Pawan Kumar was arrested and the petitioner succeeded
in fleeing away. The name of the petitioner has been disclosed
by Pawan Kumar. From the arrested co-accused / Pawan Kumar
Police recovered 265 pieces of Kodin Corex cough syrup each
containing 100 ml totaling 26 liters 500 ml.

Learned counsel for the petitioner submits that
petitioner has not committed any offence as alleged and he has
falsely been implicated in this case on the basis of disclosure of
his name by the arrested co-accused. Learned counsel further
submits that no illicit material and / or excise article has been



recovered from the possession of the petitioner. The petitioner is in custody since 9 / 4 / 2021, charge sheet has already been submitted and trial is not likely to be concluded in near future due to Covid 19 pandemic.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that nothing has been recovered from the conscious possession of the petitioner, he is in custody since 9 - 4 - 2021, charge sheet has already been submitted and trial is not likely to be concluded in near future to Covid-19 pandemic, 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. 25000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge 2nd cum Special Judge Excise, Khagaria in connection with Khagaria P.S. Case No. 715 of 2020.

(Anil Kumar Sinha, J)

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