

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34835 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- KURSAILA District- Katihar

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MADAN GOPAL SHARMA Son of Late Ram Prasad Sharma Resident of
village - Doulatpur, P.S. - Barhara, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Prakash Shrarma
For the Opposite Party/s : Mr. Umesh Lal Verma

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Kursela P.S. Case No. 19 of

2022 dated 03.02.2022 registered for the offences punishable

under Sections 467, 468, 471, 120(B), 420 of Indian Penal Code

and Section 30(a), 36, 41(1) of the Bihar Prohibition and Excise

Act.



As per the prosecution case, 6444 litres of foreign liquor was recovered from the truck.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired on the basis of confessional statement of co-accused Ghashyam Kushwaha and Pradeep Yadav. The co-accused person has already been granted bail by the Co-ordinate Bench of this Court vide order dated 01.11.2022 passed in Cr. Misc. No. 53796 of 2022. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 31.03.2023.

Learned APP for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum- Exclusive Special Excise Court No. 2, Katihar in connection with Kursela P.S. Case No.



19 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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