

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46509 of 2016

Arising Out of PS.Case No. -115 Year- 2016 Thana -PARAIYA District- GAYA

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Santosh Kumar, Son of Nandu Prasad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Javed Jafar Khan

For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 24-10-2016

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 120 (b) of the Indian Penal
Code and Sections 47 (A) (F) (G), 54, 57 of Bihar Excise
(Amendment) Act, 2016.

According to prosecution case itself, in huge quantity
Indian made foreign liquor were recovered from a Toyota vehicle
and F.I.R. named co-accused, Rajnish Kumar and Brajesh Kumar
were arrested from the aforesaid vehicle. So far as petitioner is
concerned, it is alleged that he was caught by the police with Bajaj
Discover motorcycle and the allegation against him is that he was
escorting the aforesaid Toyota vehicle. The apprehended accused
disclosed that seized liquor had to be delivered to petitioner.

Petitioner does not have any criminal antecedent and is languishing in jail custody since 01.09.2016.

Considering the aforesaid facts and circumstances as well as this aspect of the matter that nothing has been recovered from conscious possession of the petitioner nor he was found sitting in the vehicle from which the alleged recovery was made, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Santosh Kumar, Judicial Magistrate 1st Class, Gaya in connection with Paraiya P.S. Case No. 115 of 2016.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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