

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18561 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -AMBA District- AURANGABAD

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Santosh Kumar Singh Son of Ramashish Singh Resident of Village-Hathil
Parsawa, P.S.-Simra, District-Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-04-2017 Heard the parties.

The petitioner seeks regular bail in connection with Amba
P.S.Case No.103 of 2016 registered for offences punishable under
Sections 30(a) & 37(b) of Bihar Excise Act.

Allegation against the petitioner, as per the F.I.R., is about
recovery of 80 ltrs. of country-made liquor from a Tempo and it is
alleged that the petitioner is the owner of the said Tempo.

It is submitted on behalf of the petitioner that nothing has
been recovered from his possession and the Driver, who was
present there, has already been granted bail. It is also submitted on
behalf of the learned counsel for the petitioner that the petitioner
has clean antecedent and remained in custody for about two
months.

Heard learned A.P.P. also.



Having heard both sides and in view of the fact that nothing has been recovered from the possession of the petitioner and he was not present at the place of occurrence as well as he has remained in custody for a period of two months, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Aurangabad in connection with Amba P.S.Case No.103 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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