

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26685 of 2017

Arising Out of PS.Case No. -508 Year- 2016 Thana -AMARPUR District- BANKA

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1. Santosh Bhagat Son of Late Kishori Bhagat , Resident of Amarpur, P.S.-
Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-06-2017 The petitioner seeks regular bail in connection with

Amarpur P.S. Case No. 508 of 2016, registered for offences

punishable under Sections 30(a) and 32(ii) of Bihar Prohibition

and Excise Act, 2016.

Allegation is of recovery of 200 litres of countrymade

liquor.

It has been submitted on behalf of the petitioner that

petitioner has not been named in the F.I.R, his name transpired in

this case only on the basis of confessional statement of co-accused

of this case. Further petitioner is neither owner nor the driver of

the vehicle from which the alleged recovery has been made and

other co-accused having similar allegation has already been

granted bail by this Court vide order dated 15.06.2017 passed in



Criminal Miscellaneous No. 27063 of 2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that petitioner's name transpired on this case only on the basis of confessional statement of co-accused and further other co-accused of this case having similar allegation has already been granted bail by this Court, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Amarpur P.S. Case No. 508 of 2016, subject to the 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 cooperate 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.

It is also made clear that if the petitioner again found involved in any of such offence, in future, his bail bonds will be cancelled.

(Vinod Kumar Sinha, J)

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