

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18050 of 2017

Arising Out of PS.Case No. -321 Year- 2016 Thana -KADWA District- KATI HAR

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1. Santosh Kumar, son of Nityanand Singh, R/o Village- Simalgachhi, P.S.-
Muffasil (Ranipatra), District- Purnea.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 272, 273 of the Indian Penal Code and Section 30(a),
37(a) of Bihar Prohibition and Excise Act, 2016.

It is alleged that 658 litres of foreign liquor is said to
have been recovered from the possession of the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 28.12.2016. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. It is alleged that 658 litres
of foreign liquor is said to have been recovered from the scorio



vehicle. The same has not been recovered from the conscious possession of the petitioner. The other co-accused have been granted bail vide Cr. Misc. No. 12052 of 2017 and Cr. Misc. No. 8926 of 2017 by another co-ordinate Bench of this court. There is no compliance of section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar, in connection with Kadwa P.S. Case No. 321 of 2016.

(Sudhir Singh, J)

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