

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47607 of 2017**

Arising Out of PS.Case No. -257 Year- 2016 Thana -FATEHPUR District- GAYA

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Santosh Kumar @ Barku Kumar, son of Uday Singh, R/o Mohalla-  
Bhusunda, P.S.- Gaya Mofassil, District- Gaya, Bihar.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Avinash Shekhar

For the Opposite Party/s : Mr. Amitesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      12-10-2017      Heard learned counsel for the petitioner.

This is an application for bail in connection with Excise Case No. 25 of 2017/2 of 2016, arising out of Fatehpur P.S. Case No. 257 of 2016 registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and 47(a) (g)/50 of Bihar Excise (Amendment) Act, 2016.

Allegation against the petitioner is of recovery of 61.5 litres of liquor from the tempo and petitioner was arrested at the spot.

Submission of learned counsel for the petitioner is that he has no concern with the tempo and nothing has been recovered from his possession and he is in custody since 29.9.2016 having no criminal antecedent.



Heard learned APP also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.15,000/- (Rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-IV-cum-Special Judge, Excise Act, Gaya, in connection with Excise Trial Case No. 01/2017/Excise Special Case No. 25 of 2017/ Sessions trial No. 02 of 2016, arising out of Fatehpur P.S. Case No. 257 of 2016, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties in the jurisdiction of court concerned,
- (2) If involvement of the petitioner in such type of cases is found in future, his bail bond shall be cancelled.

**(Vinod Kumar Sinha, J)**

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