

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41078 of 2017

Arising Out of PS.Case No. -369 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
SASARAM (ROHTAS)

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1. Santosh Kumar @ Santosh Kuamr Son of Late Bechan Prajapati, R/o
Gayghat, P.S.- Sasaram (Muffasil), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Excise P.S.Case No.369 of 2017 registered for offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act, 2016.

Allegation against the petitioner is about recovery of
210 ltrs. of liquor from the vehicle and the petitioner along with
other three persons was traveling in the said vehicle..

Submission of the learned counsel for the petitioner is
that nothing has been recovered from the conscious possession of
the petitioner rather from the vehicle and though the petitioner
along with three other persons was there. The petitioner has no
criminal antecedent and he is in custody for more than two



months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special court, Excise, Rohtas at Sasaram in connection with Excise P.S.Case No.369 of 2017.

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 reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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