

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5737 of 2017

Arising Out of PS.Case No. -536 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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Santosh Sao @ Santosh Kumar, Son of Sri Mahabir Sao, Resident of
Village-Nauranga, P.S.-Muffasil, District-Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-03-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
16.12.2016 in connection with Muffasil P.S. Case No. 536/16
registered for the offences punishable under Sections 272, 273,
120-B of the Indian Penal Code and Section 30(a) of the Bihar
Excise Act, 2016.

The prosecution case, as lodged by the police
patrolling party, is that on a tip off they raided the place of
occurrence and found petitioner along with three other persons
sitting, who tried to flee away but were apprehended and 119 litres
of country-made liquor was recovered hidden near the bushes,
and, accordingly, seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, has been falsely implicated in the aforesaid case and four persons including the petitioner were apprehended. It is submitted that nothing has been recovered from his conscious possession and charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. It is further submitted that the seized country-made liquor cannot be attributable to the petitioner.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances as well as perusal of the record and that charge-sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 536/16.

(Nilu Agrawal, J)

Rajesh/-

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