

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23203 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- FORBESGANJ District- Araria

Santosh Das, son of Nakul Chandra Das, resident of Village- Kali Mela Road,
Ward No.- 1, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Sri Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-04-2018 Heard Sri Ramesh Kumar Singh, learned counsel for
the petitioner and learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in connection with Forbesganj P.S. Case No. 126 of 2018 (arising out of Spl. Case No. 290 of 2018), registered for the offence under Section 30 of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

By way of referring to the F.I.R. it was submitted by learned counsel for the petitioner that Police as if had got secret information that this petitioner was expected to be apprehended with liquor, and thereafter, a team was constituted, however, after noticing Police party the accused fled away. He further submits that in the F.I.R. itself the informant, who is a Police Officer has disclosed as if some other person had disclosed the name of the person who fled away as the petitioner. By way of referring to



paragraph no. 3 of the petition it has been argued that petitioner is having clean antecedent and falsely petitioner has been implicated. Learned counsel for the petitioner has further argued that it is unexpected that petitioner would have been seen carrying a bag containing about 90 liters of the Nepali country made liquor.

Besides hearing, I have perused the materials available on record as well as antecedent of the petitioner, which has been mentioned in paragraph no. 3 of the petition. Considering the nature of accusation as well as clean antecedent of the petitioner, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Santosh Das be enlarged on bail on furnishing bail bond of Rs. **10,000/-** (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge – cum-Special Judge, Araria / concerned court in connection with Forbesganj P.S. Case No. 126 of 2018 (arising out of Spl. Case No. 290 of 2018) subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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