

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9102 of 2019

Arising Out of PS. Case No.-469 Year-2018 Thana- GANDHIMAIDAN District- Patna

SANTOSH KUMAR @ SANTOSH KUMAR SINGH Son of Vinod Kumar
Singh Resident of Behind- I.M.A Hall , Salimpur Ahra, P.S- Gandhi Maidan ,
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
15.01.2019 in connection with Gandhi Maidan P.S. Case No.
469 of 2018 for offences punishable under Section 30(a) of the
Bihar Excise (Amendment) Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on information that some persons are dealing
in illicit liquor, one Rocky Kumar was apprehended and on his
tip off the house of one Akhilesh Yadav was searched and the
petitioner was found fleeing away but was arrested. From his
room, 16 litres of Indian made foreign liquor was recovered,
and, accordingly, a seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. It is submitted that nothing has been recovered from his conscious possession, he was just a tenant of said Akhilesh Yadav and undertakes not to induce witnesses or tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Patna, in connection with Gandhi Maidan P.S. Case No. 469 of 2018, subject to the conditions that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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