

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26132 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

SANTOSH GOND @ SANTOSH KUMAR GOND, aged about 45 yers,
Male, Son of Late Paras Gond @ Paras Prasad Gond Resident of
village/Mohalla- Ward No. 17, Bhabhua, P.S.- Bhabhua, District- Kaimur at
Bhabhua ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Uday Pratap Singh, Adv.

For the Opposite Party : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-05-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
01.03.2019 in connection with Bhabhua P.S. Case No. 85 of
2019 for the offence alleged under Section 30(A) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that the petitioner along
with his brother, Neeraj Gond, is trading in illicit liquor, the
police conducted a raid. The petitioner was apprehended while
his brother fled away. On search, from the house 21.600 liters
of illicit liquor was recovered. 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. He submits that nothing has been recovered from the conscious possession of the petitioner as the house belonged to his brother.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and that the petitioner does not bear any criminal antecedent, as stated in paragraph 3 of the present application, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Bhabhua P.S. Case No. 85 of 2019 to the satisfaction of the learned I/C Special Judge, Excise, Kaimur at Bhabhua, or the successor Court.

(Nilu Agrawal, J)

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