

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41277 of 2019

Arising Out of PS. Case No.-110 Year-2019 Thana- CHAKIA District- East Champaran

SANTOSH BHAGAT, aged about 28 years, Male, Son of Jaipal Bhagat,
Resident of Village- Barmadiya, P.S.- Chakiya, District- East Champaran
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Rishikesh Ojha, Adv.
For the Opposite Party : Mr. Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Chakiya P.S. Case No. 110 of 2019 for the offence alleged under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that two persons were seen on a
motorcycle. On chase, while the person, who was driving the
motorcycle, succeeded in fleeing away, but, the pillion rider was
apprehended, who disclosed his name as Vikram Kumar and on
search of his bag, 30 bottles, each containing 180 ml of Indian
made foreign liquor, were recovered and he disclosed the name
of the petitioner.

The learned counsel appearing for the petitioner
submits that petitioner was not apprehended on the spot nor
anything incriminating recovered from his possession, the



seized motorcycle do not belong to the petitioner and the petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Chakiya P.S. Case No. 110 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge IX-cum-Special Judge, Excise Act, East Champaran at Motihari, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure.

(Rajendra Kumar Mishra, J)

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