

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55747 of 2019

Arising Out of PS. Case No.-137 Year-2018 Thana- KARPI District- Jehanabad

SANTOSH KUMAR Son of Sukhdeo Singh Resident of Village- Lodipur,
P.S. Kinjar , District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 06-09-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 09.07.2019 in connection with Excise Case No. 943 of 2018 arising out of Karpi P.S. Case No. 137 of 2018 for the offence registered under Sections 420 and 120B of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that the entire case against the present petitioner is false and fabricated and the petitioner had purchased a new Tempo vehicle bearing Chassis No. MA1LE2FXSJ3C25304 which is also indicated in the first information report. It is further submitted that since the registration was yet to be affected, the petitioner could not produce the owner book but later on he got his owner book. It is



stated at the Bar that the said paper is now available with him and on perusal of the same, this Court finds that the chassis number as stated in the first information report as also the photocopy of the vehicle which was purchased by the petitioner, Santosh Kumar son of Sukhdev Singh, resident of Lodipur Bara, P.O. Akbarpur, P.S. Kinjar, District Arwal on 31st of August, 2018 is the same as that which is stated in the receipt which has been produced before this Court.

Let a photocopy of the same be kept on record.

Learned counsel for the petitioner further submits that the driver of the vehicle, in question, had parked near the campus of the IT, which is under construction for taking passengers but in the meantime, some persons raided and though such recovery packets of liquor were not from his conscious possession, the same has been saddled on his shoulders. It is further submitted that the petitioner has already been in custody since 09.07.2019 and he has clean antecedent. It is further submitted that similarly situated co-accused persons, on whose vehicles also certain packets of liquor are found, have since been extended the privilege of bail vide order dated 10.06.2019 passed in Cr. Misc. No. 36232 of 2019.

Considering the aforesaid facts and circumstances of



the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise) – cum- Addll. Sessions Judge – II, Jehanabad in connection with Excise Case No. 943 of 2018.

(Anjana Mishra, J)

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