

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19216 of 2020**

Arising Out of PS. Case No.-77 Year-2020 Thana- KHAGARIA District- Khagaria

SANTOSH RAI @ SANTOSH RAY S/o Late Mahendra Rai R/o village-
Power House Road, Gachhi Tola, P.S.- Town, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Yogendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 18-06-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Khagaria P.S. Case No. 77 of 2020, disclosing offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The petitioner is in custody since 27.01.2020. Allegedly from his car, the police recovered 93 liters of illicit liquor. The petitioner has criminal antecedent of involvement in similar nature of cases as disclosed in paragraph 3 of the application.

Learned counsel appearing on behalf of the petitioner has submitted that he is in custody since 27.01.2020 and considering the nature of allegation, there is no chance of him



tampering with the evidence. He has further submitted that, in case, the petitioner is found involved in similar nature of cases in future, the prosecution may apply for cancellation of bail granted in the present case.

Considering the above submission, this application is allowed. It is made clear that if the petitioner is found indulging in similar activities in future, it shall be obligatory for the prosecution to move for the cancellation of his bail.

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 the learned Special Judge (Excise) Khagaria in connection with Khagaria P.S. Case No. 77 of 2020.

(Chakradhari Sharan Singh, J)

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