

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26750 of 2020**

Arising Out of PS. Case No.-19 Year-2020 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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Santosh Kumar @ Santosh Kumar Amar Son of Late Sakal Rai R/O- Mohalla
- Gandhi Ashram, P.S.- Hajipur Sadar @ Sadar Hajipur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr.A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 14-10-2020 Heard counsel for the petitioner and State through
video conferencing.

The petitioner seeks bail in Industrial Area P.S. Case
No. 19 of 2020, registered for the offence under Section 414 of
the Indian Penal Code and Section 30(a) of Bihar Prohibition
and Excise Act.

1100 liters of foreign liquor is alleged to have been
recovered from the godown/warehouse-cum-cycle parts shop of
petitioner, which was taken on rent.

It is submitted on behalf of petitioner that nothing has
been recovered from the conscious possession of the petitioner.
Moreover, recovery has been made from a warehouse, which is
in the house of one Devenda Rai and petitioner has got no



concern either with the seized liquor or the warehouse. Chargesheet has already been submitted in this case. The petitioner is in custody since 19-02-2020.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge II cum Excise Court, Vaishali at Hajipur in connection with Industrial Area P.S. Case No. 19 of 2020 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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