

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27862 of 2020**

Arising Out of PS. Case No.-138 Year-2020 Thana- KARJA District- Muzaffarpur

SANTOSH KUMAR S/o Badri Sah Resident of Village- Rotiniya, P.S.-  
Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ratneshwar Prasad  
For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      04-11-2020                      The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Akbar Ali, the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Karja P.S. Case No. 138 of 2020 for the offence registered under Sections 272, 273 and 34 of the Indian Penal Code and Section 30 of the Bihar Prohibition of Excise Act.

The allegation is regarding recovery of 390 litres of illicit English wine from a Tata Magic A.C. vehicle.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the



present case and he is languishing in custody since 05.06.2020.  
It is submitted that the petitioner is merely driver of the vehicle in question and has got nothing to do with the illicit liquor.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein as also the fact that he is only the driver of the vehicle in question, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 learned Special Judge, Excise Act, Muzaffarpur in connection with Karja P.S. Case No. 138 of 2020.

**(Mohit Kumar Shah, J)**

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