

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18865 of 2021

Arising Out of PS. Case No.-552 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Santosh Kumar @ Santosh Paswan Son Of Ganpat Parue @ Ganpat Paswan
Resident Of Village Chirauri P.S. Chausa District Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anwar Karim

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner seeks bail in Begusarai Muffasil P.S.

Case No. 552 of 2020, registered for the offence punishable

punishable under Section 120(B) of the Indian Penal Code and

section 30(a), 41(1) of the Bihar Prohibition and Excise Act,

2016.

1332.9 litres of foreign liquor has been recovered

from a vehicle in which this petitioner along with two others

were sitting and they were apprehended by the police.

It is submitted that no recovery has been made from



conscious possession of this petitioner. Petitioner was simply a co-passenger and was not aware about the nature of consignment. Petitioner is having clean antecedent and he is in custody since 29.10.2020.

Considering the period of custody coupled with the fact that petitioner is having clean antecedent, the petitioner above-named, is directed to be enlarged 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 Chief Judicial Magistrate, Begusarai in connection with Begusarai Muffasil P.S. Case No. 552 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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