

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22763 of 2021**

Arising Out of PS. Case No.-113 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Santosh Kumar Son Of Mahendra Prasad R/O Village- Imam Baaraa Hamam
Road, Ramjanki Chouraha Ward No.-59, P.S.- Khajekalan, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad,Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 31-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Uma
Shankar Prasad Singh, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Special Case No. 7383 of 2020 arising
out of Alamganj P.S. Case No. 113 of 2020 registered for the
offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act.

Learned counsel for the petitioner submits that the
allegation against the petitioner is that he was arrested with the
scotty from which two bags containing total 80 liters of illicit
liquor were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has no concern with the said allegedly recovered illicit liquor. The petitioner is in custody since 18.12.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regards to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that total 80 liters of illicit liquor is said to have been recovered from the bags, the petitioner is in custody since 18.12.2020 having no criminal antecedent, investigation against him is complete, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Patna in connection with Special Case No. 7383 of 2020 arising out of Alamganj P.S. Case No. 113 of 2020.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of

bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.