

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33670 of 2021**

Arising Out of PS. Case No.-104 Year-2020 Thana- KARJA District- Muzaffarpur

SANTOSH TIWARY @ SANTOSH KUMAR TIWARI Son of Late
Kamaldeo Tiwary Resident of Village - Narhar Sarai, P.S. - Karja, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh, Adv.

For the Opposite Party/s : Mr.Ashok Kumar, APP

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

2 13-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State, Sri Ashok Kumar.

The petitioner seeks regular bail in
connection with Karja P.S. Case No. 104/2020,
registered for the offence punishable under
Sections 272, 273/34 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

The allegation is regarding recovery of
1250.460 liters of illicit liquor from a truck.

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



he is languishing in custody since 24.12.2020. The learned counsel for the petitioner has further submitted that the petitioner has got nothing to do either with the truck in question or with the illicit liquor and in fact, co-accused persons have already been granted bail by coordinate Benches of this Court vide orders dated 16.9.2020 and 3.5.2021 passed in Criminal Miscellaneous No. 23677 of 2020 and Criminal Miscellaneous No. 1344 of 2021 respectively.

Per contra, the learned APP 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 materials available on record as also considering the parity of the case of the petitioner with that the co-accused persons, who have already been granted bail by coordinate Benches of this Court, I deem it fit and proper to direct for release of



the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees 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. 104/2020.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

