

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37319 of 2020

Arising Out of PS. Case No.-208 Year-2020 Thana- BHANGWANPUR HAT District- Siwan

SANTOSH KUMAR SINGH @ SANTOSH SINGH @ HANSRAJ SINGH
@ HANSRAJ KUMAR SINGH son of Shri Baban Singh Resident of Village-
Ratan Parauli, P.S. Bhagwanpur Hat, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-02-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bhagwanpur Hat P.S. Case No. 208 of 2020 for the offence
registered under Sections 30(a) and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 1411.920
litres of illicit liquor from the pond of the co-accused person.

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 26.08.2020.
The learned counsel for the petitioner has further submitted that
similarly situated co-accused person has already been granted
bail by a coordinate Bench of this Court vide order dated



23.12.2020 passed in Criminal Misc. No. 34642 of 2020.
Lastly, it is submitted that the pond from where illicit liquor has been recovered, does not belong to the petitioner.

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 parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court, apart from the fact that the illicit liquor has not been recovered from the pond of the petitioner, 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 Additional Sessions Judge-II-Special Judge, Excise, Siwan in connection with Bhagwanpur Hat P.S. Case No. 208 of 2020.

(Mohit Kumar Shah, J)

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