

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38131 of 2020**

Arising Out of PS. Case No.-518 Year-2019 Thana- MINAPUR District- Muzaffarpur

SANTOSH KUMAR S/o Shri Vishwanath Bhagat R/o Village- Alineora, P.S.-
Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udbhav

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 05-02-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Minapur P.S. Case No. 518 of 2019, registered for the offence punishable punishable under Sections 272, 273, 420 and 120(B) of the Indian Penal Code and section 30(a)/41 of the Bihar Prohibition and Excise Act, 2016.

1680.84 litres of foreign liquor has been recovered from nine vehicles parked in an open field.

It is submitted that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. Recovery has been made from behind the house. Chargesheet has already been submitted. Moreover, co-accused Sanjay Kumar @ Sanjay Sanwaria has



been granted bail by a coordinate Bench of this court vide order dated 04.12.2019 passed in Cr. Misc. No. 74887 of 2019. Petitioner is in custody since 31.08.2020.

Considering the facts and circumstances of the case, 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 Special Judge (Excise Act), Muzaffarpur in connection with Minapur P.S. Case No. 518 of 2019, 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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