

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39509 of 2020

Arising Out of PS. Case No.-81 Year-2018 Thana- TEGHRHA District- Begusarai

SANTOSH KUMAR Son Of Bhushan Singh @ Shashi Bhushan Singh @
Shashi Bhushan prasad singh Resident of Village - Ayodhya , P. S. - Teghra ,
District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APPP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-02-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Teghra PS Case No. 81 of 2018 registered under Sections 30/30(a) of Bihar Prohibition and Excise Act, 2016.

Having no prior antecedent the petitioner is in custody now since 24.9.2020. The prosecution case is alleging recovery of 619.200 liters of foreign liquor from cartons in a pickup van. Some persons are said to have been fleeing away on seeing the police party.

Learned Counsel for the petitioner submit that after his implication in this case he has been made accused in Teghra PS Case No. 106 of 2019. The petitioner, even as per prosecution case, has not been arrested from the place of recovery. It is a case of false implication based on suspicion.

Learned APP has opposed the prayer for bail.



Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise Act, Begusarai in Teghra PS Case No. 81 of 2018 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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