

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40244 of 2020

Arising Out of PS. Case No.-55 Year-2020 Thana- HATHIDAH District- Patna

SANTOSH KUMAR @ GOLU Son of Late Ramawatar Singh Resident of
Village - Chandauli, P.S. Ujiyarpur, District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Akshya Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-02-2021 Heard Mr. Ravindra Kumar, learned Counsel for the

petitioner and Mr. Akshya Lal Pandit, learned Additional Public

Prosecutor for the State.

This application, for grant of regular bail, arises out of

Hatidah Police Station Case No. 55 of 2020, disclosing offences

under Section 30(a) of the Bihar Prohibition Excise Act, 2016.

The allegation, as per the First Information Report is

that on secret information, police intercepted the bolero vehicle in

which five persons were travelling. Upon seeing the police party,

four persons succeeded in fleeing away and one person, i.e., the

petitioner, was apprehended and a total quantity of 178.125 litres

of illicit liquor was recovered from the said vehicle.

Learned counsel for the petitioner submits that the

petitioner has not committed any offence in the manner alleged and



he is neither the driver nor owner of the vehicle and was travelling in the same as a passenger. Learned counsel further submits that petitioner is in custody since 06.07.2020 and the chargesheet has already been submitted against the petitioner and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 06.07.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner, subject to the condition that the petitioner will not repeat the same offence in future.

Accordingly, let the petitioner, Santosh Kumar @ Golu, 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 Special Judge (Excise), Patna, in connection with Hatidah Police Station Case No. 55 of 2020, subject to the condition that the petitioner will not repeat the same offence in future.

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(Anil Kumar Sinha, J.)

