

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7516 of 2021**

Arising Out of PS. Case No.-163 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

=====

SANTOSH RAI SON OF SRI KISHORI RAI @ KISHORI PRASAD
YADAV R/O VILLAGE- KULESHRA, P.S.- SAKRA, DIST.-
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

=====

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 02-06-2021 Heard learned counsel for the petitioner and learned

A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Excise Case No. 163 of 2019, P.R. No.45/19 registered for the offence punishable under Section 30(a) of the Bihar Prohibition of Excise Act-2018(Amendment).

414.000 litres of foreign liquor is said to have been recovered from a paddy field.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or place of recovery or any trade of liquor. The alleged recovery was made from paddy field of said locality where the petitioner resides. He has been falsely implicated in this case by the police. One of the co-accused namely Uma Shankar Rao has already been granted anticipatory bail vide order dated 17.02.2020 passed in Cr.Misc. No.11884 of 2020 by a co-ordinate Bench of this court. Petitioner has no criminal antecedent and has been languishing in custody since 06.10.2020.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in



connection with Excise Case No. 163 of 2019, P.R. No.45/19,
subject to the following conditions:

(1) One of the bailors will be his own blood
relative, preferably, father, mother, brother, sister and/or his
wife.

(2) The petitioner shall not indulge himself in
any similar offence till conclusion of the trial, failing which, his
bail bonds shall be liable to be cancelled by the learned court
concerned.

(3) The petitioner shall remain physically
present in the court on each and every date during trial and in
the event of failure on two consecutive dates without sufficient
reasons, his bail bonds shall be liable to be cancelled by the
learned court concerned.

The bail bond of the petitioner shall be accepted by
the learned Court below on showing receipt of deposit of
Rs.10,000.00 (Rupees Ten Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

pallavi/-

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

