

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8172 of 2022

Arising Out of PS. Case No.-904 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

SANTOSH KUMAR @ ANSHU KUMAR Son of Ram Naresh Patel @ Ram
Naresh Ray Resident of Village - Arara, P.s.- Hajipur Sadar, Distt.- Vaishali.
... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr. M. Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Hajipur Sadar PS Case No. 904 / 2021 instituted for the offence under Section 414 of the IPC and Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act 2018.

A total quantity of 167.400 liters of illicit liquor has allegedly been recovered from a Bolero Pick Up bearing Registration No. BR31GB8127 .

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case by the police with oblique motive and he has not committed any offence as alleged. Learned counsel further submits that petitioner has been made accused only on the basis of suspicion, he has not been arrested from the van and there is no recovery of illicit liquor from his conscious possession and / or vehicle belonging to him. Learned counsel next submits that there is absolute non compliance of the procedures prescribed under Section 100 of the Cr.P.C. and the Excise Act at the time of search and seizure.



Learned counsel next submits that petitioner has no criminal antecedent, he is in custody since 15-10-2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Regard being to the submissions made by the parties, taking into consideration the fact that petitioner has no criminal antecedent, the petitioner is in custody since 15/10/2021 , charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1 cum Additional District & Sessions Judge, Vaishali at Hajipur in connection with Hajipur Sadar PS Case No. 904 / 2021.

(Anil Kumar Sinha, J)

praful/-

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

