

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19338 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- BIBHUTIPUR District- Samastipur

Santosh Kumar @ Santosh Ray, Son Of Ram Sakal Ray @ Ramphal Ray R/O
Village- Rajeshwar Chowk, P.S.- Angarghat, District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy- Advocate

For the Opposite Party/s : Mr. Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that he received secret information that petitioner and his
named associates have brought huge quantity of liquor by a
truck which is loaded with stone chips and they are trying to
unload at a sand and stone shop at Kalyanpur Ganj.
Accordingly, the police reached the place of occurrence and saw
a truck standing. On seeing the police, the accused persons
managed to escape taking advantage of darkness, but one
accused Amresh Rai was apprehended. It is next alleged that
Amresh Rai disclosed the name of the petitioner and other



accused persons. It is next alleged that on search, 1521 litre of liquor was recovered from the aforesaid truck.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He was not arrested from the spot and his name transpired in the confessional statement which has no evidentiary value. It is next submitted that petitioner is neither the owner, nor the driver of the vehicle and is a person, who bears no criminal antecedent.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bibhutipur P. S. Case No.19 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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