

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30920 of 2021

Arising Out of PS. Case No.-446 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SANTOSH KUMAR @ SANTOSH SINGH S/O LATE SURENDRA
KUNWAR @ SURENDRA SINGH R/O VILLAGE-BINODPUR, P.S.-
MUFFASIL (SINGHAUL O.P.), DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Mr. Pravin Kumar
For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 21-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Mufassil (Singhaul O.P.) Police Station Case No. 446 of 2020,
registered for the offences punishable under Section 414 of the
Indian Penal Code and Sections 30(a)/41(1) of the Bihar
Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is
that the police intercepted one truck and recovered a total
quantity of 1551.96 litres of illicit liquor from the same and the
name of the petitioner, along with others, has transpired on the
basis of information received by the police from its spy that the



petitioner and others were indulged in the trade of illicit liquor.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of the information received by the police from its spy. He further submits that the petitioner is neither the owner nor the driver of the vehicle in question. He further submits that no illicit liquor has been recovered from the conscious possession and/or vehicle/premises belonging to the petitioner. He next submits that similarly situated co-accused persons, namely, Manohar Yadav, Bhagwan Bhagat and Ramadhar Singh, have been granted bail by co-ordinate Benches of this Court. He further submits that the petitioner is in custody since 17.02.2021 and charge sheet has been submitted.

On the other hand, learned Additional Public Prosecutor submits that huge quantity of liquor has been recovered from the truck and the truck was also found to be a stolen one.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the materials on record and the fact that nothing has been recovered from the possession of the petitioner, similarly situated co-accused persons have been granted bail by this Court and the petitioner



is in custody since 17.02.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Begusarai, in connection with Mufassil (Singhaul O.P.) Police Station Case No. 446 of 2020.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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