

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11867 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- DANIYAWAN District- Patna

SANTOSH KUMAR S/O NAGENDRA RAI Resident of Village- Jarua
Chisti, P.S.- Ganga Bridge, District- Vaishali, State Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Narayan

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a), 32(2)(3), 36 and
41(1)(2) of the Bihar Prohibition and Excise Act.

As per prosecution case, there has been recovery of
763 liters of illegal foreign liquor from a Pick-up Van, which
was being driven by the petitioner.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has apprehended on spot. He
submitted that the petitioner has no concern with the seized
liquor. Nothing incriminating article has been recovered from
the conscious possession of the petitioner. Petitioner has got no



criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 18.01.2023.

The application for bail is opposed by learned APP for the State.

The petitioner is directed to deposit Rs. 20,000/- (Twenty thousand) in the account of concerned DLSA.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Patna City, Patna in connection with Daniyawan P.S. Case No. 13 of 2023.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 20,000/- (Twenty thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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