

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39903 of 2023

Arising Out of PS. Case No.-337 Year-2023 Thana- SHASTRINAGAR District- Patna

SANTOSH KUMAR SINGH (aged about 45 years, Male) Son of Shilanath Singh, resident of Village- Sangrampur PS- Taraya Dist- Saran at Chapra
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirtyunjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.

2. Petitioner seeks regular bail in connection with Shastrinagar P.S. Case No. 337 of 2023 dated 02.04.2023 registered for the offence(s) punishable under Section(s) 30(a) of the Bihar Prohibition & Excise Act.

3. The main submissions advanced by the learned counsel for the petitioner are that the FIR has been registered against six persons including the petitioner, out of them co-accused persons, namely, Nishant Tiwary, Manish Kumar and Avinash Anand have been granted bail by different co-ordinate Benches of this Court vide orders passed in Cr. Misc. Nos. 29586 of 2023, 34027 of 2023 and 34428 of 2023 respectively and the instant matter relates to the recovery of 149.85 litres of illicit foreign liquor and the same are stated to have been



recovered from a quarter and a garage and petitioner was simply doing his duty as a Guard at the alleged place of recovery and he had no knowledge about the seized material. Further submissions are that the petitioner has been languishing in jail since 03.04.2023 having fair and clean antecedent.

4. Learned APP appearing for the State has opposed the bail prayer and submitted that the petitioner is the main accused and the alleged smuggling of the foreign liquor was being made under his supervision.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent, the completion of investigation against him, his custody period and also the privilege of bail having been granted to co-accused persons, as mentioned-above, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Shastrinagar P.S. Case No. 337 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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