

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58495 of 2023

Arising Out of PS. Case No.-333 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

Santosh Kumar Soni Son Of Yamuna Prasad, R/o Village- Saraiya, P.S.-
Amjhor, Distt.- Rohtas Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-09-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Sasaram (M) P. S. Case No. 333 of 2023 registered on 15.06.2023 for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. According to the prosecution, total recovery of 1.5 litre country made liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner fairly submits that total recovery of 1.5 litre of wine has been made from motorcycle which belongs to the petitioner. He further submits that petitioner was not apprehended and he had given motorcycle of his relative and petitioner is completely unaware that the person to whom he has given motorcycle is involved in such illegal activity. Counsel further submits that as soon as

petitioner got information in this regard, he started taking attempt to take shelter of law. He further submits that there is one criminal case pending against the petitioner in which he is on bail and the said case is not of excise.

5. Learned APP for the State opposes the prayer for bail but submits that it is true that neither the petitioner has been apprehended nor wine has been recovered from his possession.

6. In the aforesaid facts and circumstances, let the above-named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within 6 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2 -cum- Additional District & Sessions Judge, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 333 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

ravishankar/-

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