

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62924 of 2023

Arising Out of PS. Case No.-519 Year-2023 Thana- BEUR District- Patna

Santosh Kumar @ Santosh Ray, son of Munna Ray, R/o- Nirpura P.S.- Beur
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh, Advocate

For the Opposite Party/s : Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 19-10-2023 A supplementary affidavit has been filed on behalf of
the petitioner, the same is taken on the record.

2. Heard Mr. Ram Jiban Prasad Singh, learned
counsel appearing on behalf of the petitioner and the learned
APP for the State.

3. The petitioner is apprehending his arrest in
connection with Beur P.S. Case No. 519 of 2023 registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

4. The police, on receipt of information regarding
illegal trade of illicit liquor, intercepted two cars. It is further
alleged that on search, 49.125 litres of foreign liquor was
recovered from Honda Amaze Car, bearing registration no. WB
02AF 7224. One another car, bearing registration no. WB 02Y



8145, has also been seized, however, from where nothing has been recovered.

5. It is submitted on behalf of the petitioner that the petitioner has been implicated in this case only on account of he being the owner of the Maruti Swift car, bearing registration no. WB 02Y 8145, from which nothing has been recovered. He further submits that the petitioner has no concern with the car from which the recovery of liquor was made. He next submits that in fact the car of the petitioner was parked near the car, bearing registration no. WB 02AF 7224, and in course of raid the police seized both the cars without their being any recovery, much less any incriminating material from the car of the petitioner. He next submits that false implication of the petitioner is only on account of the past criminal antecedent of identical matter, however, he is on bail in the said case.

6. On the other hand, learned APP for the State opposes the bail application and submits that both the cars were found involved in transportation of illegal liquor.

7. Regard being had to the submissions made on behalf of the parties and considering the fact that nothing has been recovered from the car of the petitioner, which belonged to the petitioner, let the petitioner, named above, in the event of his



arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge, Excise Act, Patna in connection with Beur P.S. Case No. 519 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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