

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64537 of 2022

Arising Out of PS. Case No.-360 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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SANTOSH KUMAR Son of Ganesh Prasad Gupta Resident of Mohalla - Lah
Bazar, Mukherjee Compound, P.S.- Chapra (Town), District - Saran at Chapra

... .. Petitioner/s

Versus

The Union of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh
For the Opposite Party/s : Mr. K.N. Singh (A.D.S.G)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-02-2023 Heard learned counsel for the petitioner and learned
counsel for the Union of India, C.G.C.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under Section 135 1(a),
135 1(b) of the Custom Act.

As per prosecution, it is a case of seized Foreign
Origin Gold. The said recovered gold biscuits/bullions weighing
2914.700 gram valued at Rs. 1,52,52,625/-. Petitioner is the
owner of the said Maruti car.

Learned counsel for the petitioner submits that the
Foreign Origin Gold has not been seized from the possession of
the petitioner nor he was arrested at the place of occurrence nor
he was travelling in the alleged vehicle bearing Reg. No. BR



01PN 1493 along with alleged other co-accused persons. The petitioner has been made accused only on the basis of being the owner of the vehicle in question from which as per allegation the Foreign Origin Gold is said to have recovered. Petitioner is languishing in judicial custody since 23.06.2022. Nothing incriminating articles were found from the possession of the petitioner. His mobile phone were seized by the DRI officials, but nothing suspicious information was found.

Learned APP appearing for the State has opposed the prayer of regular bail.

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 released on bail in connection with Complaint Case No. 360 (O)/2022 (arising out of DRI, Patna Unit Case No. 6/22-23), on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1, Patna.

(Sunil Kumar Panwar, J)

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