

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72619 of 2023

Arising Out of PS. Case No.-440 Year-2023 Thana- SABAUR District- Bhagalpur

SANTOSH KUMAR SON OF PHOTO RAJAK @ PUTO RAJAK R/O
VILLAGE- BARI DHANKAR, P.S.- SABOUR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail registered for the
offence punishable under section 30(a) of Bihar Prohibition and
Excise Amendment Act, 2018.

Prosecution case relates to recovery of 12.80 litres of
illicit liquor from a motorcycle and petitioner was arrested on
spot with the said motorcycle.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Provision of Section 100 CR.P.C. has not been followed
by the police officials while preparing the seizure list. He has
been falsely dragged in the present case due to high handedness
of the police officials. Petitioner is languishing in judicial



custody since 11.08.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Petitioner is directed to deposit Rs. **5,000/- (Rs. Five thousand)** in the 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 Excise Judge, II, Bhagalpur in connection with Sabour (Goradia) P.S. Case No. 440 of 2023.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **5,000/- (Five thousand only)** by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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