

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7017 of 2024

Arising Out of PS. Case No.-247 Year-2023 Thana- KUTUMBA District- Aurangabad

Santosh Kumar SON OF Jitendra Paswan RESIDENT OF VILLAGE-
BADKA GAWAN, PS- AMBA, DISTT- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rupa Kumari, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kutumba P.S. case No.
247 of 2023 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

3. The prosecution case, in short, is that while
checking the vehicle, total 96.360 liters wine is recovered in
this case.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. It is alleged that
a total 96 liters wine has been recovered from the motorcycle in
question and 360 ml wine has been recovered from the



petitioner. The petitioner has got no concerned with the said motorcycle. The petitioner is in custody since 21.11.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the petitioner having no criminal antecedent, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kutumba P.S. case No. 247 of 2023.

(Rudra Prakash Mishra, J)

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