

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12568 of 2024

Arising Out of PS. Case No.-253 Year-2021 Thana- BIDUPUR District- Vaishali

Santosh Rai @ Santosh Kumar, S/O- Umesh Singh @ Umesh Ray R/O-
Village- Panapur Dharmpur, P.S.- Bidupur, Dist.- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dwij Raj

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a) and 41(i) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 6552 litres of liquor from a truck.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is not the owner or
the driver of the seized vehicle and he came to be implicated
based on confessional statement of Anish Kumar @ Akshay in
police custody, which does not have any evidentiary value,



when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Bidupur P. S. Case No.253 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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