

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16978 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- SIKARHATTA District- Bhojpur

Santosh Kumar Singh S/O Bhuneshvar Prasad Singh R/O Vill- Araidih, P.S-
Piro (Hasan Bazar), Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Prakritita Sharma, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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

ORAL ORDER

2 07-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Sikarhatta P.S. Case No. 136 of 2023 instituted for the

offences under Section 30(a) of the Bihar Prohibition and

Excise Act, 2018.

3. As per prosecution case, the police has recovered

total 230 liters of illicit liquor from the tempo bearing Regd.

No. BR03P-9824.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence as

alleged against him and has falsely been implicated in the



present case. The petitioner was the owner of the vehicle, in question, but had sold the same to one Anil Kumar Tiwari on 16.08.2019 itself and thus, the petitioner is neither owner of the alleged vehicle nor has any concern with the occurrence. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 20.01.2024.

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

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Sikarhatta
P.S. Case No. 136 of 2023 .

(Rudra Prakash Mishra, J)

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