

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31428 of 2024

Arising Out of PS. Case No.-241 Year-2024 Thana- RAMKRISHNANAGAR District- Patna

SANTOSH KUMAR @ SANTOSH KUMAR SINGH SON OF LATE DEVI
DAYAL SINGH RESIDENT OF VILLAGE - PIARIYA, P.S. -
GAURICHAK, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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

ORAL ORDER

- 2 25-04-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with Ram
Krishna Nagar P.S. Case No. 241 of 2024 instituted for the
offences punishable under Sections 30(a), 32(ii)(iii), 41(i) of the
Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 412.26
litres of liquor was recovered from truck and pickup van.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner is a labourer and on the alleged date and time of occurrence, he was unloading wine from the truck and he has no concern with the liquor at all. The petitioner is in custody since 22.03.2024 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP 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, clean antecedent and the period of custody undergone by the petitioner, 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 Ram Krishna Nagar P.S. Case No. 241 of 2024.

(Rudra Prakash Mishra, J)

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