

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45876 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- UJIYARPUR District- Samastipur

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Santosh Ray S/O Ramsakal Ray R/O Village-Dadhiya Asadhar,Rajeshwar
Chowk,P.S.-Angharghat,Distt-Samastipur Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Adv
For the Opposite Party/s : Mr. Sharda Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ujiarpur P.S. Case No. 85 of 2024 dated 08.04.2024 registered for the offences punishable u/s 30(a), 41(2)(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 459 litres of illicit foreign liquor was recovered from the two *Cars*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said vehicle and the same was not being driven by him at the time of the alleged recovery. The name of the petitioner was disclosed by the apprehended co-accused *Raja Paswaan*. There is general and



omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has six criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur, in connection with Ujiarpur P.S. Case No. 85 of 2024 with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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