

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51797 of 2024

Arising Out of PS. Case No.-417 Year-2020 Thana- MASHRAK District- Saran

Santosh Kumar Singh Son Of Anil Kumar Singh Village- Karn Kudariya, Ps-
Mashrakh, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Adv.
For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Mashrakh P.S. Case No. 417 of 2020 registered for the alleged offences under Section 30, 30(a), 38 and 41 of the Bihar Prohibition and Excise Act-2016.

03. As per prosecution case, on receiving secret information about co-accused persons bringing huge consignment of illicit liquor, a raid was conducted at a certain identified place but no one was apprehended. From the spot recovery of 1200 litres of spirit was made from a tractor trailer. A motorcycle was also seized from that place and the police showed its suspicion that some trader of illicit liquor fled away from the spot leaving behind the motorcycle. The petitioner is stated to be the owner of the

motorcycle.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been named in this case merely because of the fact that the motorcycle of the petitioner was parked at a nearby place and was seized but not recovery has been shown from the said motorcycle. In fact nothing incriminating has been recovered from person or possession of this petitioner who is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering completely vague nature of allegation and further considering probability of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Exclusive Special Excise Judge-2, Saran at Chapra in connection with Mashrakh P.S. Case No. 417 of 2020, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

anuradha/-

U		T	
---	--	---	--