

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78521 of 2024**

Arising Out of PS. Case No.-178 Year-2023 Thana- NATIONAL HIGHWAY District-  
Samastipur

=====

Santosh Kumar Son Of Prabhu Ray Resident Of Village- Morwa Mohanpur,  
Ps- Tajpur, District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Anirudh Kumar Sinha  
For the Opposite Party/s : Mr.Shyam Bihari Singh

=====

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      06-12-2024                      1. Heard learned counsel for the petitioner and  
learned APP for the State.
2. The petitioner seeks bail in a case registered for the  
offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that  
the petitioner has antecedent of one case and the allegation is of  
recovery of 53.730 litres of liquor from a motorcycle.
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 he came to be  
implicated based on the fact that he is the owner of the seized  
motorcycle. It is next submitted that no prudent person would  
use his own vehicle for committing a crime and thus, would



create evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that Amlesh Kumar would misuse the vehicle in the manner as alleged as he was also apprehended at the spot. It is submitted that petitioner is in custody since 14.09.2024.

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

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Samastipur in connection with National Highway Bangra/ Bangara P. S. Case No. 178 of 2023.

7. The application stands allowed.

**(Satyavrat Verma, J)**

vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

