

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9303 of 2025

Arising Out of PS. Case No.-665 Year-2024 Thana- Excise P.S. District- Bhagalpur

Santosh Ray @ Santosh Kumar Roy S/o Jogendra Roy R/o Vill- Harsinghpur,
Batatgama, P.S.- Saranjan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Sadar PS Case No. 665 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 540
litres of foreign liquor was recovered from Bolero Pick-up
vehicle bearing Registration No. BR11GC-6787.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted
that the petitioner is the co-driver of the seized vehicle and he



has no knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 29.08.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail passed by this Court *vide* order dated 17.01.2025 in Cr. Misc. No. 85966 of 2024.

5. Learned A.P.P. 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 of the petitioner 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 Excise Sadar PS Case No. 665 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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