

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25039 of 2025**

Arising Out of PS. Case No.-96 Year-2024 Thana- Singhaul District- Begusarai

Santosh Singh @ Santosh Kumar Singh @ Santosh Kumar S/O Late Rajendra Singh @ Rajo Singh R/O Village- Amrour Kirathpur, P.S- Singhaul, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

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

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Singhaul P.S. Case No. 96 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, the police has recovered total 46.875 liters of illicit foreign liquor from the maize field near the petitioner's house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to ulterior motive. He further submits that nothing



incriminating has been recovered from the conscious possession of the petitioner. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the local Choukidar. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has nine criminal antecedents and is languishing in judicial custody since 25.03.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He submits that the petitioner has altogether nine criminal antecedents of almost similar nature of offence and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, 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 Singhaul P.S. Case No. 96 of 2024, subject to the following conditions;



(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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