

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29030 of 2025

Arising Out of PS. Case No.-27 Year-2024 Thana- KOTWA District- East Champaran

Santosh Sah S/O- Wakil Sah Village- Chaube Tola Ps- Kotwa Bhopatpur Op
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Kotwa (Bhopatpur) PS Case No. 27 of 2024 instituted for
the offences under Sections 30(a), 32 and 41(i) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total
1080.720 litres of foreign liquor was recovered from the
house of co-accused Krishna Rai.

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 recovery is made from the house of co-accused. It is further submitted that local chowkidar disclosed the name of the petitioner. The petitioner is in custody since 11.02.2025 and has got ten criminal antecedents and the petitioner is on bail in all the cases. There is no compliance of Section 103 of B.N.S.S.

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 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, ***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 Kotwa (Bhopatpur) PS Case No. 27 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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