

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72238 of 2024

Arising Out of PS. Case No.-444 Year-2024 Thana- Excise P.S. District- Patna

Santosh Kumar S/O Pappu Saw R/O Village- Sevanan, P.S- Kadauna, Distt.-
Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Adv

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Excise Masaurhi P.S Case No. 444 of 2024 registered for the
offences punishable under Sections 30(a)/32(3)/56(b) of the
Indian Penal Code.

3. As per allegation, F.I.R. has been lodged against
three named accused person including the present petitioner
from whom there is a recovery of 165 Litre of Illicit Liquor
from a tempo bearing registration No. BR25PA-0247.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that petitioner is daily wage labourer who is the only



bread earner of his family. His name has been figured in this case only due to the dirty village politics. Moreover, there is no independent witness mentioned in the seizure list and all the witnesses are police personal which clearly violates section 100(4) of the Cr.P.C. Moreover, the petitioner is in custody since 03.08.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 31.08.2024 and period of custody and also considering the submissions made on behalf of the learned counsel for the petitioner, let the above named 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 learned Special Judge, Excise-2 Patna in connection with Excise Masaurhi P.S Case No. 444 of 2024.

(Ramesh Chand Malviya, J)

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