

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78822 of 2024

Arising Out of PS. Case No.-294 Year-2024 Thana- RAJPUR District- Buxar

Santosh Kumar Singh Son of Ram Bhawan Singh Resident of Village - Rauni,
P.S. - Rajpur, District – Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Pandey, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 24-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. A perusal of the first information report and the seizure list would go to show that a total 35.8 liters of country made liquor is said to have been recovered from a gunny bag kept on the motorcycle.

4. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in this case as the petitioner happens to be the registered owner of the said motorcycle. The place of recovery is near the school where the petitioner normally use to park his motorcycle and someone with ulterior motive has kept the gunny bag on his motorcycle. It is also a



fact that the petitioner was not caught on the spot and nothing has been recovered from the physical or conscious possession of the petitioner. There is violation of mandatory provisions of search and seizure as there is no independent witness. Petitioner is a Ward Member and has no criminal antecedent.

5. Taking into consideration the abovementioned facts and circumstances of the case and further that the petitioner has no criminal antecedent, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/ successor Court in connection with Rajpur P.S. Case No.294 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

