

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21825 of 2018

Arising Out of PS.Case No. -599 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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Santosh Poddar @ Santosh Pauddar S/o Vishnu Deo Poddar @ Lattar Poddar Resident of Village - Baijnathpur Ward No. 2, P.S.Sour Bazar (Baijnathpur O.P.), District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 17-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Sour Bazar P.S. Case No. 599 of 2017 (Special Excise Case No. 614/2017) registered under Sections 30(a), 38(1) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

1085.760 litres of Nepali liquor is said to have been recovered from Bolero pickup van and father of the petitioner namely Vishnu Deo Poddar @ Lattar Poddar standing beside the aforesaid vehicle was apprehended and he disclosed the petitioner to be the owner of the said vehicle and liquor.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or with the vehicle in question. The vehicle in question is hailing to his father Vishnu Deo Poddar @ Lattar Poddar. He was not apprehended on the spot rather has been falsely implicated in the case on the disclosure of his father due to grudge and to save his skin from the occurrence. The petitioner has no criminal antecedent and has been languishing in custody since 30.01.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II cum Special Judge, Excise Act, Saharsa in connection with Sour Bazar P.S. Case No. 599 of 2017 (Special Excise Case No. 614/2017).

(Prakash Chandra Jaiswal, J)

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