

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54104 of 2018

Arising Out of PS. Case No.-502 Year-2018 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Santosh Sah, son of Nagendra Sah, resident of village - Dumri, P.S.-
Muzaffarpur Sadar, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Part

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Adv.
For the Opposite Party/s : Mrs. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 11-09-2018 Heard Sri Vijay Kumar Singh, learned counsel for the

petitioner and Smt. Anita Kumari, learned Addl. Public

Prosecutor.

The sole petitioner, apprehending his arrest in
Muzaffarpur Sadar P.S. Case No. 502 of 2018 registered for
offence under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016, has prayed for grant of bail, in the event of his arrest
or surrender.

Learned counsel for the petitioner submits that in this
case, nothing was recovered from the possession of the
petitioner and the petitioner is having clean antecedent, which
fact has been stated in paragraph-3 of the petition. Besides this,
it has been argued that the petitioner's name has come on the



disclosure made by co-accused. He submits that save and except the confessional statement of co-accused, there is no other material to connect the petitioner in the present case.

Learned Addl. Public Prosecutor has vehemently opposed the prayer for grant of anticipatory bail. She submits that petitioner's name has come on the disclosure made by one Mukesh Patel.

Considering the nature of accusation, clean antecedent as well as fact that petitioner has been arrayed as accused on the basis of disclosure made by co-accused, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Santosh Sah be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two surities of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Muzaffarpur Sadar P.S. Case No. 502 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

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