

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13240 of 2018

Arising Out of PS.Case No. -302 Year- 2017 Thana -BANKA District- BANKA

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Santosh Kumar, son of Late Ghanshyam Sah, resident of village Chilmi
Kurthiya Tikar, P.S. Barahat, District Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 07-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Banka (Barahat) P.S.
Case No.302 of 2017 registered under Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

17 liters of country made liquor is said to have been
recovered from the house of the petitioner and brother of
petitioner, namely, Dhananjay Kumar was apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. The petitioner was
not apprehended on the spot. He has been falsely implicated in this
case due to dirty village politics. He has no concern with the
seized liquor. Though two cases have been lodged against the



petitioner but he is on bail in the aforesaid cases. He has been languishing in custody since 02.11.2017. Similarly situated accused persons, namely, Dhananjay Kumar and Anju Devi have been enlarged on bail by coordinate Bench of this Court in Cr. Misc. No.46331 of 2017 and Cr. Misc. No.46105 of 2017 vide order dated 21.09.2017 and 17.10.2017 respectively.

In the facts and circumstances of the case, 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 Additional Sessions Judge-II, Banka in connection with Banka (Barahat) P.S. Case No.302 of 2017.

(Prakash Chandra Jaiswal, J)

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