

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49979 of 2018

Arising Out of PS. Case No.-115 Year-2018 Thana- DHANARUA District- Patna

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Santosh Chaudhary @ Santosh Kumar @ Santosh Kumar Chaudhary S/o
Mahendra Chaudhary, R/o Vill.- Sanda, P.S.- Dhanrue, District- Patna.

... .. 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. Suresh Prasad Singh

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

ORAL ORDER

2 14-08-2018 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with
Dhanrue P.S. Case No. 115 of 2018 registered for the offence
punishable under Section 30(a) of Bihar Prohibition Excise Act,
2016.

10 lts. of country made liquor and 450 lts. of
fermented Mahua are said to have been recovered from the
house of petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern with the
seized article. He has been falsely implicated in this case at the



instance of his enemy. The house of the petitioner is inhabited by his several other family members and he had no knowledge of keeping of aforesaid article in the house. He was not apprehended on the spot. Though, one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 25.06.2018 and similarly situated co-accused, namely, Parwati Devi has been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 11.07.2018 passed in Cr. Misc. no. 39043 of 2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna in connection with Dhanrua P.S. Case No. 115 of 2018.

(Prakash Chandra Jaiswal, J)

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