

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70419 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- JOGBANI District- Araria

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SANTOSH KUMAR YADAV Son of Bhimsen Yadav Resident of Bhorhar,
Ward No.11, P.S.- Fulkaha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 30(a) & 38(i) of the Bihar Prohibition and Excise
(Amendment) Act, 2016.

The prosecution case, in short, is that 1782 liters wine
is recovered.

Earlier prayer for bail of the petitioner was rejected
vide Annexure-1 to this application with an observation that in
the event, no substantial progress is made in the trial, the
petitioner may renew his prayer for bail. Till date, charge has
not been framed in the case. Hence the present application has
been filed.

It has been submitted on behalf of the petitioner that



there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 27-02-2019. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 1782 liters wine is recovered from the car in question. The car, in question does not belong to the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Araria in connection with Jogbani P.S. Case No. 52 of 2019 corresponding to Special Case No. 288 of 2019.

(Sudhir Singh, J)

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