

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 78491 of 2019**

Arising Out of Excise Case No.-53 Year-2008 Thana- GOVERNMENT OFFICIAL COMP.
District- Jehanabad

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Santosh Kumar, aged about 40 years (M) Son of Naresh Saw @ Naresh Prasad Resident of Village-Rampur Chai, P.S.-Karpi, District-Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Paras Nath and Ms. Patla Kumari, Advocates
For the State	:	Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 16-12-2019

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in Excise Case No. 53 of
2008 dated 26.11.2007 instituted under Section 47 (A) of the
Excise Act.

3. The petitioner is said to be party to selling Indian
made foreign liquor in contravention of the statutory provisions.

4. Learned counsel for the petitioner submitted that
he was a salesman in the shop from which recovery was made on
03.06.2007, but he was not aware that he was an accused in the
case and, thus, he surrendered on 22.10.2019 and since then, he is
in custody.



5. Learned APP submitted that the petitioner was evading the process of law for 12 years and finally was declared absconder on 19.09.2019 and, thereafter has surrendered on 22.10.2019 and for such conduct, the Court should not grant him any indulgence. It was further submitted that the shop from which recovery was made was of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant bail to the petitioner, for the present.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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