

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80859 of 2019**

Arising Out of PS. Case No.-627 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gaya

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SANTOSH KUMAR YADAV Son of Choya Yadav Resident of Village -  
Dadpur, P.S.- Magadh University, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Lilawati Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      10-12-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case instituted for the  
offences under Section 30(k) of the Bihar Prohibition and  
Excise Act, 2016 and 2(e), 03, 05 and 13 of Bihar Mahua  
Flower Act, 2007.

Prosecution case, in short, is that 750 kg mahua flower  
is recovered.

It has been submitted on behalf of the petitioner that  
the petitioner is in custody since 25.9.2019 and has got no  
criminal antecedent. Charge-sheet/prosecution report has been  
submitted in this case. There is no allegation of tampering of  
witnesses alleged against the petitioner. It is alleged that 750 kg



mahua flower is recovered. The petitioner happens to be driver of the vehicle in question. The petitioner had no knowledge regarding goods booked by the transporter. 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./complaint case.

Considering the aforesaid facts and circumstances, it is directed that 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 Special Judge, Excise, Gaya in connection with Excise Case No. 627/2019.

**(Sudhir Singh, J)**

Pankaj/-

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