

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11729 of 2020

Arising Out of PS. Case No.-452 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Santosh Kumar Yadav S/o Late Dunilal Rai Resident of Village- Sripur Gahar,
P.S.- khanpur, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar, Adv.

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood,APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-06-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The petitioner has filed the instant application for grant
of anticipatory bail apprehending his arrest in connection with
Excise Case no.452 of 2019 registered under section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on a raid being conducted,
1.26 litres of IMFL was recovered from the *Angan* of the house
of the petitioner.

It is submitted by learned counsel for the petitioner that
the allegation of recovery is incorrect. It is further submitted
that from perusal of the boundary of the place of recovery, it
would transpire that on the Eastern side there is a house of one



Chandradeo Yadav, on the West is *pucca* road and a *rasta* exists on the North. It is further submitted that subsequent to being falsely implicated in the instant case, the petitioner was implicated in one another case under the Excise Act and in the said case also the petitioner has been enlarged on anticipatory bail.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the aforesaid facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The petitioner, in the event of his arrest/surrender within eight weeks, is directed to be enlarged on bail in connection with Excise Case no.452 of 2019 on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge (Excise), Samastipur, subject to the condition stipulated under section 438(2) Cr.P.C.

(Partha Sarthy, J)

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