

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11487 of 2020

Arising Out of PS. Case No.-196 Year-2019 Thana- FULKAHA District- Araria

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Santosh Kumar Yadav Son of Rudranand Yadav Resident of Village-
Manikpur, 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.Mrigendra Kumar

For the Opposite Party/s : Mr.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 413 & 414 of the Indian Penal Code and Sections
30(a), 41(i), 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 270 liters wine is
recovered.

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 13-01-2020.
Charge sheet/Prosecution report in this case has already been
submitted. It is alleged that 270liters wine is recovered from the
co-accused Pawan Yadav. The name of the petitioner transpired
on the basis of disclosure made by co-accused. Nothing



incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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, Araria in connection with Special Case No. 1604 of 2019 arising out of Fulkaha P.S. Case No. 196 of 2019.

(Sudhir Singh, J)

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