

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous Case No.19072 of 2020

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Santosh Yadav, Age 45 years, Gender-Male, Son of Late Bihari Yadav @ Late Bihari Singh, Resident of village- Karsar, P.S. Nawanagar District-Buxar

..... Petitioner

Versus

The State of Bihar

..... Opposite party

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Appearance

For the Petitioner : Ms. Vaishnavi Singh, Advocate

For the State : Mr. Dilip Kumar no.1, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 13.05.2020 Heard learned counsel for the petitioner and learned A.P.P for the State, through video conferencing.

The petitioner who is in custody since 5.2.2020 has filed the instant application for grant of bail in connection with Nawanagar P.S. Case no.253 of 2019 registered for offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on secret information being received a raid was conducted on the brick kiln and a total 1704.9 litres of IMFL was recovered. It is further stated that from reliable sources it transpired that the seized article belong to the petitioner and one Krishna Yadav. The land belongs to Sunil Yadav and the seized articles were being taken care of by one Harihar Yadav.



It is submitted by learned counsel for the petitioner that co-accused Krishna Yadav and Harihar Yadav have been enlarged on anticipatory bail vide order dated 13.12.2019 passed in Cr.Misc.No.82788 of 2019. Further the land from which the article is stated to have been recovered does not belong to the petitioner.

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

Having heard learned counsel for the parties and considering the facts of the case specially that the land from which the recovery is stated to have taken place does not belong to the petitioner as also grant of anticipatory bail to co-accused Krishna Yadav, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with CIS-Excise-908/2019 (arising out of Nawanagar P.S. Case no.253 of 2019) on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Buxar.

(Partha Sarthy, J)

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