

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20411 of 2020

Arising Out of PS. Case No.-33 Year-2017 Thana- RAJAOLI District- Nawada

Santosh Yadav, aged about 33 years, Son of Vijay Prasad Resident of Village Bajwatari, Police Station - Rajauli, District - Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Deepak Kumar, Advocate
For the Opposite Party : Mrs. Puspa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-07-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Rajauli P.S. Case No. 33 of 2017 for offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

In the instant case, 15 litres of *Mahua* wine was seized from the plastic bag kept in the motorcycle.

Learned counsel appearing on behalf of the petitioner would submit that the petitioner has no criminal antecedent. He submits that liquor was recovered at Dopta More from a parked motorcycle. On the basis of ownership, the owner of the motorcycle was made accused. However, the name of the petitioner surfaced on the statement of the owner of the



motorcycle that he has already transferred the motor-cycle to this petitioner.

Considering the fact that the petitioner has no criminal antecedent and nothing was recovered from constructive possession of the petitioner or from his house, the Court is inclined to grant bail to him. Let petitioner, above-named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II-cum-Special Judge, Nawada in connection with Rajauli P.S. Case No. 33 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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