

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24201 of 2020

Arising Out of PS. Case No.-441 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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SANTOSH KUMAR YADAV @ SANTOSH YADAV Son of Raju Yadav
Resident of Village-Kirpa Bigha, P.S.-Phesar, District-Aurangabad (Bihar), at
present residing at Bhuiyaan Toli (Keshav Market), P.S.-Barun, District-
Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari, Advocate.

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-10-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30 (a) of



the Bihar Prohibition and Excise Act, 2016.

297 liters of country made liquor is said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the house. He has been falsely implicated in this case due to dirty village politics. Petitioner has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs.30,000.00 (Rupees Thirty Thousand) in the Chief Minister's Relief Fund, Bihar, bearing Account No.2065104000002257, IFSC IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Sessions Judge-VII-cum-Special Judge Excise,
Aurangabad in connection with Excise Case No. 441 of 2020,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

The bail bond of the petitioner shall be accepted by
the learned Court below on showing receipt of deposit of
Rs.30,000.00 (Rupees Thirty Thousand) in the Chief Minister's
Relief Fund.

(Anjani Kumar Sharan, J)

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