

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12033 of 2022

Arising Out of PS. Case No.-389 Year-2021 Thana- NAUGACHIA District- Bhagalpur

SANTOSH SHARMA S/o Late Etwari Tatma R/o Village Tetri P.S.
Naugachiya, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-04-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a) and 32(ii) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being conducted one Biharilal Pandit was arrested and some liquor was recovered from his possession. It is stated that on his disclosure a raid was conducted and 43.5 litres of liquor was recovered from behind the house of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. He has no concern with the seized liquor. Even the alleged place of



recovery is an open place accessible to all. The petitioner is in custody since 17.11.2021 and has no criminal antecedent. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case especially the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Naugachiya P.S. Case no. 389 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd ADJ-cum Special Judge, Excise, Bhagalpur.

(Partha Sarthy, J)

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