

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24345 of 2022

Arising Out of PS. Case No.-13 Year-2020 Thana- NAANPUR District- Sitamarhi

SANTOSH NAYAK SON OF SHRI CHANDESHWAR NAYAK R/O
VILLAGE- LATRAHA, BLOCK - P.S.- JALE, DISTRICT- DARBHANGA
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Yadav
For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Nanpur PS Case No. 13/2020 registered for the offence punishable under Sections 30, 30(a), 38(i) (ii) and 41 of Bihar Prohibition & Excise Act 2018.

The police intercepted a pickup van and recovered 1591.506 litres of illicit liquor. Some of the accused persons managed to flee away from the said pickup van and the petitioner is said to be one of them.

Learned counsel for the petitioner submits that the petitioner has not committed offence in the manner alleged and he has falsely been implicated in this case on the basis of statement made by the villagers. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the vehicle



belonging to him. It is next submitted that similarly situated accused person has been granted anticipatory bail by a co-ordinate Bench of this Court *vide* Annexure-2. The petitioner is in custody since 25.03.2022 and there is no likelihood that the petitioner will abscond or tamper with the evidences.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused person has been granted anticipatory bail by a Bench of this Court *vide* Annexure-2 , the petitioner is in custody since 25.03.2022 and there is no likelihood that the petitioner will abscond or tamper with the evidences, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.II, Sitamarhi in connection with Nanpur PS Case No. 13/2020.

(Anil Kumar Sinha, J)

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