

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46094 of 2022**

Arising Out of PS. Case No.-217 Year-2022 Thana- MANJHAGARH District- Gopalganj

Santosh Yadav, Son of Sipahi Yadav, Resident of Village - Dharam Parsa, P.S.-
Manjhagarh, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gautam Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

2 30-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Manjhagarh P.S. Case No. 217 of 2022,
registered for the alleged offences under Sections 414/34 of the
Indian Penal Code and Section 30 (a) of the Bihar Prohibition
and Excise Act.

As per prosecution case, recovery of 223.24 liters of
India made foreign liquor and country made liquor was made
from a car and the petitioner was apprehended after chase when
he tried to flee away from the spot.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner has nothing to do with the alleged recovery and he is not the owner of the car from where recovery is stated to be made. Nothing incriminating has been recovered from his conscious possession. The petitioner has been falsely implicated in this case on the ground that the car was parked in front of the house of the petitioner and this petitioner has no knowledge about the illicit liquor. The charge sheet has been submitted in this case. The petitioner is in custody since 10.07.2022 and is having clean antecedent.

Learned A.P.P. opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner along with his clean antecedent, he is directed to 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 Additional District and Sessions Judge-2nd-cum-Special Judge, Excise Court-1, Gopalganj, in connection with Manjhagarh P.S. Case No. 217 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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