

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46598 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- GHOGHARDIHA District- Madhubani

SANTOSH KUMAR YADAV Son of Uttamlal yadav Resident of Village - Basuari, Ward no.-06, Anchal - Ghoghardiha, Baswari, P.s.- Ghoghardiha, Distt.- Madhubani,- 847402.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti

For the Opposite Party/s : Mr.Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-12-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Ghoghardiha P.S. Case no. 40 of 2022 instituted for the offence under Sections 272 and 273 of the IPC and Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 207 litres illicit liquor from the vehicle of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery. Because of his ownership, he has been implicated in the present case. Neither the petitioner was arrested nor any



incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Petitioner is directed to deposit Rs. 20,000/- (Rs. twenty thousand) in the concerned DLSA.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Ghoghardiha P.S. Case no. 40 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Jhanjharpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 20,000/- (Twenty thousand only) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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