

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62368 of 2021**

Arising Out of PS. Case No.-241 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Santosh Kumar @ Santosh Yadav S/O Late Mahesh Yadav R/o village-
Bhelwa (Amarut), P.S.- Barachatti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Excise
Case No. 241 of 2021 instituted for the offences under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is in custody since 05.09.2021, prosecution report has
been submitted in the case and petitioner has got one criminal
antecedent as mentioned in paragraph '3' of the bail application.

Learned counsel for the petitioner submits that
allegation is of recovery of 120 litres of liquor from an auto in
which the petitioner was sitting.

Learned counsel for the petitioner submits that the



petitioner was a bonafide passenger and as such was not aware what was kept in the auto and came to be implicated merely because he was found sitting in the auto.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 05.09.2021 and prosecution report has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Excise Case No. 241 of 2021 with a condition that one of the bailors shall be the wife of the petitioner (Shobha Kumari).

(Satyavrat Verma, J)

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