

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9328 of 2023

Arising Out of PS. Case No.-1267 Year-2022 Thana- DANAPUR District- Patna

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Santosh Kumar Son Of Ganesh Yadav R/V- Indra Nagar, Ward No. 4, P.S-
Mokama Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner prayed for regular bail in connection with Danapupr P.S. Case no. 1267 of 2022 instituted for the offence under Sections 30(a), 32(ii)(iii) and 41(i)(ii) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 439.5 liters illicit liquor which was recovered from a Bolero car bearing Reg No. BR-01GJ-5658.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. He has got no criminal antecedent.



Petitioner has no concern with the alleged recovery nor vehicle in question belongs to him rather he was the driver of the alleged vehicle and he has not aware of the liquor which was kept in the alleged vehicle. It is further submitted that no any incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 14.11.2022.

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

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Danapur P.S. Case No. 1267 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur, Patna.



The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 10,000/- (Rs. Ten thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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