

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13037 of 2023

Arising Out of PS. Case No.-120 Year-2022 Thana- SHASTRINAGAR District- Patna

Santu Bind @ Santu Kumar Son Of Late Sitaram Bind Resident Of
Village/Mohalla- Sheikhpura, Bind Toli, Jhoparpatti (Kabari Shop), P.S.-
Shastri Nagar, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections 30(a),
32(ii)/34, 36, 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 25.245 litres
of I.M.F.L. and 36 litres of country made liquor near scrap
shop.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has no concern with the alleged
recovery or with the place of occurrence. The name of the
petitioner has been disclosed in this case by the



apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 03.09.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Shastrinagar P.S. Case No. 120 of 2022.

(Sunil Kumar Panwar, J)

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