

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37400 of 2023

Arising Out of PS. Case No.-174 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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SANTOSH KUMAR SINGH @ SANTOSH SINGH S/O RAMESH SINGH
R/O near Bharpura Market, PS. Sonpur, Dist. Saran, Bihar -841101

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-07-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Excise P.S. Case no.174 of 2020 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 6.345 litres of liquor was recovered close to the kirana shop of this petitioner.

4. Learned counsel for the petitioner submits that even from the prosecution case as also the seizure list, no incriminating article has been recovered from his possession. The recovery is from an abandoned place close to the shop of the petitioner. He has no concern with the seized article and has been falsely implicated in the case because of his antecedent.



5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R. according to which the alleged recovery of 6.345 litres liquor was not from the possession of the petitioner but from the place close to his shop, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Excise P.S. Case no.174 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Saran at Chapra, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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