

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.59214 of 2023**

Arising Out of PS. Case No.-473 Year-2022 Thana- JOKIHAT District- Araria

=====

Santosh Kumar, Son Of Late Upendra Yadav Village- Chitti Ward No 03, Ps-  
Madhepura, Dist- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Madhav Jha, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      22-09-2023              Learned counsel for the petitioner is permitted to  
  
remove the defect(s), as pointed out by the office, if any, within  
  
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in  
connection with Jokihat P.S. Case No. 473 of 2022 dated  
01.09.2022 registered for the offences punishable under Section  
30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, 75.990 litres of illicit  
foreign liquor was recovered from a car and the driver of the  
said vehicle fled away from the spot.

5. Learned counsel for the petitioner has submitted  
that the petitioner is innocent and has been falsely implicated in



this case. It is further submitted that the petitioner is the owner of the said vehicle and he was not present in the said vehicle at the time of occurrence. The petitioner was not apprehended from the spot and no incriminating article has been recovered from his possession. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Jokihat P.S. Case No. 473 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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