

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77113 of 2023

Arising Out of PS. Case No.-656 Year-2023 Thana- FATEHPUR District- Gaya

Santosh Kumar Son Of Satyendra Yadav Resident Of Village - Parsatari,
Bhaghar, P.S.- Chauparan, District - Hajaribagh (Jharkhand)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-12-2023 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) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 200 litres
of country made liquor from a motorcycle which is
alleged to be driven by the petitioner.

It is submitted by learned counsel for the
petitioner that petitioner has falsely been implicated in
the present case. Nothing has been recovered from the
conscious possession of the petitioner. There is no



independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 05.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing for the State vehemently opposed the prayer of bail and submitted that petitioner is alleged to be the driver of motorcycle from which huge amount of liquor has been recovered.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are 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 Exclusive Special Excise Judge, Court No. IV, Gaya in connection with Fatehpur P.S. Case No. 656 of 2023.

The petitioner is directed to deposit a sum of



Rs. 5,000/-(Rupees Five Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/-(Rupees Five Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

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