

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24330 of 2024

Arising Out of PS. Case No.-343 Year-2023 Thana- ISUAPUR District- Saran

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Santosh Sah S/o Sudish Sah R/o village _Salempur , P.S. _ Ishuapur , District
_Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Ishuapur P.S. Case No.
343 of 2023, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 30 liters
liquor was recovered from back side of the house of the
petitioner and the petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern



with the alleged recovery of liquor. It is further submitted that the recovery has been made from back side of the house of the petitioner which is an open place. The petitioner is in custody since 31.12.2023 and has got two criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ishuapur P.S. Case No. 343 of 2023.

(Rudra Prakash Mishra, J)

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