

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33788 of 2024

Arising Out of PS. Case No.-596 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Santosh Kumar @ Santosh Paswan Son of Laxman Paswan @ Lakshman
Paswan Resident of Village - Paterwa, P.S.- Muffasil, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Adv.

For the Opposite Party/s : Mr. Sharda Kumari, Adv.

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

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Muffasil P.S. Case No.
596 of 2022 dated 17.08.2022 for the offence/s punishable u/ss
30(a), 32, 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 24 litres of illicit
country made liquor was recovered from the bush.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The said recovery was made from an open place that is
accessible to anyone. Local Chowkidar disclosed the name of



the petitioner. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused person has already been granted anticipatory bail by this Court vide order dated 07.03.2024 passed in Cr. Misc. No. 14377 of 2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Muffasil P.S. Case No. 596 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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