

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35903 of 2024

Arising Out of PS. Case No.-107 Year-2024 Thana- NAWANAGAR District- Buxar

Santosh Yadav @ Santosh Kumar Yadav son of Nathuni Singh Village-
Giridhar Baraon Ps- Nawanagar Sonvarsha Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Nawanagar P.S. Case No. 107 of 2024 instituted for the offences under Sections 30(a), 30 (c), 30(d), 36, 41(1) of the Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, there has been recovery of 500 bottles of 750 ml. Spirit like material from the house of the Manoj Yadav.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The name of the petitioner has come into light on the basis of confessional statement of co-accused Manoj Kumar and Chandan Yadav, which has got no evidentiary value in the eyes of law. Petitioner has no concern with the alleged



recovery. No incriminating article has been recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted anticipatory bail by co-ordinate Bench vide order dated 16.05.2024 passed in Cr. Misc. No. 35157 of 2024. It is next submitted that the petitioner has got four criminal antecedents. Petitioner has no knowledge regarding the alleged occurrence. There is no compliance of Section 100 of the Cr.P.C.

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

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Nawanagar P.S. Case No. 107 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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