

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41079 of 2024

Arising Out of PS. Case No.-45 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

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Santosh Kumar, Son Of Shri Bhagwan Singh, Village- Itarhi P.S. -Itarhi, Distt
-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Buxar (Nagar) Excise Case No. 45 (O) of 2021, instituted
under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, 51.84 litre foreign
liquor has been recovered from a tempo.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He is owner of the seized tempo. Petitioner has neither
knowledge nor concern with recovered wine from the tempo. He
had given his tempo on hire to the tempo driver, co-accused,
Sonu Singh. The arrested person, namely, co-accused Sonu



Singh has named the petitioner. Petitioner has no criminal antecedent. He undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Buxar (Nagar) P.S. Case No. 45(O) of 2021, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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