

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50801 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- GHOGHARDIHA District- Madhubani

Santosh Yadav @ Santosh Kumar, aged about 25 years, Male, S/O Vijay Kumar Yadav @ Bechchan Yadav, R/O Village- Kiratpur, P.S- Ghoghardiha, Distt.- Madhubani.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Jha, Advocate
For the Opposite Party : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-07-2024 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 Ghoghardiha P.S. Case No. 34 of 2024, G.R. No. 235 of 2024 dated 22.03.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 72 litres of illicit Nepali foreign liquor was recovered from the Mango orchard behind the house of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner has no concern with the alleged recovery. The alleged recovery was made from an open place which is accessible to anyone. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 09.06.2024.

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, Jhanjharpur at Madhubani in connection with Ghoghardiha P.S. Case No. 34 of 2024, G.R. No. 235 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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