

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52277 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- NADI District- West Champaran

Santosh Yadav Son of Narayan Ram R/O Vill.- Gadiyani Tola, P.s.- Nadi,
Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nadi P.S. Case No. 12 of 2024 instituted under Section
30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of 73
litres English wine from the plastic bags which were kept on the
motorcycle and on the basis of the disclosure made by the
villager, the name of the petitioner has come in this case.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case due to one criminal antecedent. He further submits that the
petitioner has no concern with the seized motorcycle or the
seized wine and only on the basis of suspicion, the petitioner has



been implicated in this case. Learned counsel further submits that there is no material against the petitioner and the petitioner was neither present on the spot nor any incriminating article has been recovered from the conscious possession of the petitioner. He further submits that the petitioner undertakes to co-operate in the investigation and the 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 submissions 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/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge Excise, Bagaha, West Champaran / Concerned Trial Court in connection with Nadi P.S. Case No. 12 of 2024 , 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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