

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57002 of 2024

Arising Out of PS. Case No.-273 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

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Santosh Singh Son of Bagha Singh Resident of Vill- Asani, P.S.-
Udwantnagar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Udwantnagar P.S. Case No. 273 of 2024 instituted under
Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, on the secret
information when the Police reached near the place of
occurrence, they recovered total 140 litres of country made
liquor near Dutara Bridge in the north of village Asani. The



allegation against the petitioner and other co-accused is that they have concealed the said seized liquor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case only on the basis of suspicion. He further submits that the petitioner was neither present on the place of occurrence nor any person has seen that the petitioner had fled away from the place of occurrence. He also submits that nothing has been recovered from the conscious possession of the petitioner nor he was apprehended on the spot. The alleged recovery of alleged liquor was made from the open place which does not belong to the petitioner. He further submits that petitioner has no criminal antecedent and he 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 Exclusive Special Excise Court No. II, Bhojpur, Ara /
Concerned Trial Court in connection with Udwantnagar P.S.
Case No. 273 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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