

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81190 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- SINDHUGAR District- Gaya

Santu Kumar @ Santosh Kumar Son of Nandlal Yadav Resident of Village-
Tengaini, P.O Naudiha Jhurang, P.S. -Fatehpur, Distt.- Gaya-824232

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sindugadh P.S. Case No. 06 of 2024 registered for the offences punishable under Sections 30(a), 30(d) of the Bihar Prohibition and Excise Act and 2(anga), 5(kha)/18 of Bihar Mahua Flower Rules, 2006.

3. The prosecution case, in short, is that 350 litres of liquor and 120 kg Mahua flower were recovered from four motorcycles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the



present case. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioner. It is further submitted that the petitioner has no concern with the motorcycles in question. The name of the petitioner has transpired on the basis of confessional statement of co-accused namely, Shyamdeo which has no evidentiary value. The petitioner has got no knowledge and concern with alleged recovery of liquor. The petitioner has got one criminal antecedent. There is no compliance of Section 100 Cr.P.C.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor court in connection with Sindugadh P.S. Case No. 06 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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