

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79498 of 2024

Arising Out of PS. Case No.-89 Year-2023 Thana- SANDESH District- Bhojpur

Somnath Yadav @ Somnath Singh @ Shobhnath Singh @ Shobhnath Yadav
S/O Late Manikchand Singh Resident of Village - Ward 16, Saripur, Sarimpur
Bachri, Police Station - Sandesh, District - Bhojpur at Ara

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shubham Sourav, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-11-2024 Heard learned counsel for the petitioner and Ms.

Indu Kumari Srivastava, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Sandesh P.S. Case no. 89 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The case of the prosecution is that a man was carrying liquor in gunny bag. It is further alleged that he threw this gunny bag in the mango orchard. Altogether 16.04 liters of country made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It has been argued by the learned counsel for the petitioner



that the recovery has been made from an open place. Petitioner is not concerned in any way with the alleged liquor.A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sandesh P.S. Case No. 89 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Excise Court No.II, Bhojpur, Ara subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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