

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81956 of 2024

Arising Out of PS. Case No.-297 Year-2024 Thana- DURAULI District- Siwan

Santosh Bin Son of Late Mundrika Bin Resident of Village- Don Bugurg, P.S.
- Darawali, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Darawli
P.S. Case No. 297 of 2024 instituted for the offences punishable
under Sections 30(a), 36 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 140 litres
of liquor has been recovered from three sacks. The petitioner
has been arrested on the spot.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made



from an open place. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 22.09.2024 and has three criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Darawli P.S. Case No. 297 of 2024.

(Rudra Prakash Mishra, J)

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