

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10596 of 2025

Arising Out of PS. Case No.-225 Year-2024 Thana- Excise P.S. District- Saran

Santosh Baitha, aged about 60 years, Male, S/O Late Narayan Baitha,
Resident of Village- Daulatganj, P.S.- Bhagwan Bazar, District- Saran at
Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nawnit Kumar Tiwary, Advocate
For the Opposite Party : Mrs. Asha Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sadar
Excise P.S. Case No. 225 of 2024 dated 18.12.2024 registered
for the offences punishable under Sections 30(a) and 32(3) of
the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, total 112.680 litres of
foreign liquor is said to have been recovered from the Tempo in
question.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. It is submitted that the petitioner is not the owner of
the Tempo in question. No incriminating article has been



recovered from his possession. He has no concern with the alleged offence. There is no compliance of Section 105 of B.N.S.S. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 19.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Exclusive Special Excise Court, Saran at Chapra in connection with Sadar Excise P.S. Case No. 225 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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