

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55164 of 2025

Arising Out of PS. Case No.-83 Year-2024 Thana- Narhiya District- Madhubani

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Santosh Kumar @ Santosh Kumar Yadav @ Santosh Yadav S/o Hareram
Yadav @ Hare Ram Yadav Village- Sananpatti, PS- Narahiya, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Narahiya P.S. Case No. 83 of 2024, instituted under Sections 274, 275, 317(5), 3(5) of the B.N.S. and Section 30(a) of the Bihar Prohibition & Excise Act and Section 78 of Juvenile Justice Act.

3. There is recovery of 72 litre country made liquor from an Apache motorcycle, which was driven by co-accused who was apprehended and it is alleged that petitioner along with other co-accused fled away.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case on the disclosure statement made by the apprehended co-accused. Petitioner has neither concern with the seized liquor nor with the



said motorcycle. He was not present on the spot. Nothing has been recovered from the conscious possession of the petitioner. Only on the basis of previous two criminal antecedents, he has been made accused in this case. He undertakes to co-operate in the investigation and 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 submission 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Narahiya P.S. Case No. 83 of 2024, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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