

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56204 of 2025

Arising Out of PS. Case No.-280 Year-2019 Thana- RAJAOLI District- Nawada

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Santosh Kumar S/O Late Raghunath Sah Village- Chakiya, Police Station-
Chakiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Dhananjaya Nath Tiwari, Advocate
		Ms. Diksha Kumari, Advocate
		Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s :		Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 02-09-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case instituted
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, total 4400 litres spirit has been
recovered from a truck coming from Koderma. During search,
driver of the truck was apprehended who disclosed the names of
Vishwanath Sah and Tunna Sing, who were involved in illegal
trade. Petitioner and co-accused Sandeep @ Sanjeev are stated
to be the liners.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. The allegation against the petitioner is that he was working as liner in the offence. Petitioner is neither the owner nor the driver of the vehicle and had no concern with the vehicle or the seized spirit. Except disclosure statement by the co-accused, there is nothing material against the petitioner. The petitioner has no criminal antecedent. Petitioner undertakes to cooperate in the investigation and the 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 submissions 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 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-2, Nawada in connection with Rajauli P.S. Case No.280 of 2019, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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