

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41275 of 2019

Arising Out of PS. Case No.-161 Year-2019 Thana- BARHARIA District- Siwan

CHHOTELAL PRASAD, aged about 56 years, Male, Son of Late Shyam
Sundar Prasad Resident of Village-Kutub Chhapra, P.S.-Barharia, District-
Siwan ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Naresh Prasad, Adv.
For the Opposite Party : Mr. Shyam Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Barharia P.S. Case No. 161 of 2019 for the offences alleged
under Sections 272, 273 and 308 of the Indian Penal Code and
30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

The accusation is of recovery of 52.875 liters of
Indian made foreign liquor from a hut behind the house of the
petitioner, the alleged hut is not belonging to the petitioner and
the petitioner has falsely been implicated due to situation of the
hut behind his house. The petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State
opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the
case, let the petitioner, above named, in the event of



surrender/arrest, within a period of four weeks from today, in connection with Barharia P.S. Case No. 161 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II-cum-Special Judge, Excise, Siwan, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure.

(Rajendra Kumar Mishra, J)

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