

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53787 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- SAHARGHAT District- Madhubani

MAHESH YADAV, aged about 55 years, Male, S/o Ramprit Yadav, R/o
village- Baswariya, P.S.- Saharghat, District- Madhubani

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Subhash Kumar Jha, Adv.

For the Opposite Party : Mr. Sharda Kumari, APP

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

ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Sherghat P.S. Case No. 31 of 2019, pending in the Court of the
Sessions Judge II-cum-Special Judge, Excise Act, Madhubani,
for the offences alleged under Sections 272 and 273 of the
Indian Penal Code and 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The accusation is of recovery of 10.440 liters of
Nepali Saufi wine under the stair of the house of the petitioner.

The submission of the learned counsel for the
petitioner is that petitioner has no criminal antecedent and at the
time of occurrence the petitioner was not apprehended in this
case.

Learned Additional Public Prosecutor for the State



opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. The prayer for pre-arrest bail is **rejected**. The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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