

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55878 of 2019

Arising Out of PS. Case No.-245 Year-2019 Thana- RAJGIR District- Nalanda

1. NAGINA YADAV, aged about 60 years, Male, Son of Late Dhaneshar Yadav, Resident of village- Kalyani Nagar, P.S.- Rajgir, District- Nalanda
2. Shankar Yadav, aged about 25 years, Male, Son of Nagina Yadav, Resident of village- Kalyani Nagar, P.S.- Rajgir, District- Nalanda

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Ashok Kumar, Adv.

For the Opposite Party : Mr. Sangeeta Sharma, APP

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

ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Rajgir P.S. Case No. 245 of 2019 for the offences alleged under Sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

The accusation is of recovery of container of 15 liters, containing liquid like liquor, and also a bottle of 2 liters, containing liquid like liquor from semi constructed house of the petitioner, Nagina Yadav.

The submission of the learned counsel for the petitioners is that both the petitioners are father and son in relation and have falsely been implicated in this case. Further,



submission is that it would appear from the first information report that alleged container, containing liquid like liquor, was not recovered from the house of the petitioner rather the same has been recovered from semi constructed house, which having easy access of any person.

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 petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Rajgir P.S. Case No. 245 of 2019 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional District Judge III-cum-Special Judge, Excise, Nalanda at Bihar Sharif, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

U		T	
---	--	---	--

