

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56878 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- ANDHRAMATH District- Madhubani

ABHESH YADAV @ AWADHESH YADAV @ AWADHESH KUMAR
YADAV @ AMESH YADAV, aged about 22 years, Male, Son of Budhan
Yadav, Resident of Village - Chattapur Subba Tol, P.S.- Andharamath, District
– Madhubani ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Jitendra Kumar Bharti, Adv.
For the Opposite Party : Mr. Pushpa Sinha I, APP

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

ORAL ORDER

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

The petitioner seeks pre-arrest bail in connection with
Andharamath P.S. Case No. 91 of 2019 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 that on receiving secret information
about selling the illicit liquor by the petitioner carrying the same
from Nepal in his house situated in village Chhattapur, the
informant, along with other police officials, reached there and
searched the house of the petitioner. In course of search two
gunny bags recovered from paddy straw kept outside the
courtyard of the petitioner, containing 168 bottles, each
containing 300 ml Nepali liquor.



The submission of the learned counsel for the petitioner is that it would appear from the first information report that the illicit liquor was not recovered from the house of the petitioner rather the same is recovered from the paddy straw outside the courtyard of the petitioner. 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 Andharamath P.S. Case No. 91 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 Act, Madhubani, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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