

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.58483 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- LAUKAHI District- Madhubani

SIKANDAR YADAV @ SIKANDRA KUMAR YADAV, aged about 32 years, Male, Son of Turant Lal Yadav, Resident of Village - Hariraha, P.S.- Laukahi, District – Madhubani ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Arvind Kumar, Adv.

For the Opposite Party : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

9 17-09-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Laukahi P.S. Case No. 175 of 2018 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 collecting of the illicit liquor in village Laxmipur by Sikandar Yadav for supplying the same, the informant, along with other police officials, proceeded for raid. When he reached near Shiv Temple in village Laxmipur, on seeing the police party, throwing the bags of liquor the culprit succeeded to flee away. On search, near Shiv Temple, 16 gunny bags 920 bottles, each containing 300 ml recovered beneath the bridge near the temple.

The submission of the learned counsel for the petitioner is that petitioner was not apprehended on the spot nor any incriminating article has been recovered from the petitioner.



since he is accused in two other similar nature of cases, as detailed in paragraph 3, in which he is on bail, due to that reason informant, being the police official, roped the petitioner in the 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, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Laukahi P.S. Case No. 175 of 2018 shall be released on 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 District & 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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