

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5765 of 2020

Arising Out of PS. Case No.-413 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

BIRENDRA YADAV, aged about 32 years, Male, Son of Sudama Yadav,
Resident of Villager- Masardh Ke Tola, Ward No. -13, P.S.- Udwantnagar
(Gajrajganj O.P.), District- Bhojpur at Ara, Pin Code- 802162 (Bihar)
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Abhay Kumar Pandey, Adv.
For the Opposite Party : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 11-06-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state through video
conferencing.

The petitioner seeks pre-arrest bail in connection with
Ganga Udwantnagar (Gajrajganj) P.S. Case No. 413 of 2019,
registered under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

On receiving the secret information about preparing
the liquor by ten persons, named in the first information report,
including the petitioner, at the bank of river in village Masadh
Tola, the informant, along with other police personnel, reached
there. On seeing the police party, the aforesaid persons
succeeded to flee away, but, four earthen ovens were seen on
which country made liquor was being preparing. On search, 110



liters half prepared liquor and several apparatus meant for preparing the liquor were recovered.

Submission is that at that time of fleeing away of the persons, local Chowkidar identified them. The petitioner was not apprehended on the spot and due to dirty village politics, the name of the petitioner has surfaced in the first information report. The petitioner has no criminal antecedent and his name has been disclosed by the local Chowkidar.

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 Ganga Udwantnagar (Gajrajganj) P.S. Case No. 413 of 2019 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 Sessions Judge IV-cum-Special Judge, Bhojpur at Ara, 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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