

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48892 of 2021

Arising Out of PS. Case No.-91 Year-2021 Thana- HARLAKHI District- Madhubani

Surya Dev Yadav, aged about 30 years, Male Son of Ram Sikil Yadav,
Resident of Village- Dighiya, P.S.- Harlakhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 14-02-2022 Heard the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Harlakhi P.S. Case No. 91 of 2021 instituted for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the recovery of liquor is from the back side of his house and he has no connection with the said recovery. Learned counsel submits that the petitioner was not even present at the site nor the alleged recovery belong to him.

Taking into consideration the aspect and considering the *prima facie* case under Section 30(a) is not made out, I am

inclined to allow the petitioner on bail, in the event of arrest he shall be released on anticipatory bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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