

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43570 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- LAUKAHI District- Madhubani

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RANDHIR YADAV S/O BECHU YADAV R/O Village- Mahadeva, P.S-
Laukahi, Distt.- Madhubani.

... .. **Petitioner**

Versus

The State of Bihar

... .. **Opposite Party**

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Ms.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Laukahi P.S. Case No. 11 of 2023 registered for the offences punishable under Sections 272, 273 & 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016. He has one criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that while he got secret information that in village Mahdeva in the hut of Bolu Rai the accused persons have kept the illicit liquor. On such information, he rushed to the spot but on seeing the police team all the accused persons fled away from there. The chowkidar and local people disclosed the name



of the persons who fled away as petitioner and other co-accused. The informant further alleged that on search of the hut total 288 liters of Nepali country made liquor were recovered.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case on mere suspicion. Learned counsel submits that nothing has been recovered from the conscious possession of the petitioner.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it appears that the alleged recovery is from the field of one Bolu Rai, son of Bilat Rai and the seizure list witnesses are the two chowkidars, this petitioner is said to be a person who had allegedly fled away, there being no other material against the petitioner and the recovery is not from his possession, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No. 11 of 2023, subject to the conditions as



laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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