

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47269 of 2023

Arising Out of PS. Case No.-241 Year-2022 Thana- THARTHARI District- Nalanda

Sonu Yadav Son Of Pharesh Yadav R/O-Atwalchak, P.S.-tharthari, Distt.-
nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) (d) of the Bihar Prohibition and Excise Amendment Act 2018.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 10 litres of liquor from a bush.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated at the instance of villager but then the name of the villager is not disclosed in the FIR. It is next submitted that even



alleged recovery is from a place which is accessible to public at large.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned IVth Additional District and Sessions Judge Cum Special Judge Excise II Nalanda at Bihar Sharif, in connection with Tharthari P.S. Case No 241 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Sankalp/-

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