

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52289 of 2023

Arising Out of PS. Case No.-145 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

REKHA KUMARI Wife of Chhotu Yadav, D/o Dhumil Yadav, Resident of
village and Post - Kulhariya, P.S. - Koilwar, Distt. - Bhojpur at Ara

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhileshwar Pandey, Advocate.

For the Opposite Party/s : Mr.Kalyan Shankar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-08-2023 Heard Mr. Akhileshwar Pandey, learned counsel
appearing on behalf of the petitioner and Mr. Kalyan Shankar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Udwantnagar P.S. Case No. 145 of 2023 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Allegation is of recovery of 60 litres of Mahua
country made liquor from the motorcycle bearing registration
no. BR 3U 6777 of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has
falsely been implicated in the case. Though the motorcycle
belongs to the petitioner, but liquor was recovered from the



motorcycle when it was parked along side the road and there is every likelihood that the persons who are involved in trade of liquor might have dumped the liquor on the motorcycle of the petitioner. Nothing has been recovered from the possession of the petitioner. Petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-II, Bhojpur at Ara in connection with Udwantnagar P.S. Case No. 145 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

mantreshwar/-

U		T	
---	--	---	--

