

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55265 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- BASOPATTI District- Madhubani

Sanjeet Yadav @ Kari Yadav Son of Ram Babu Yadav Resident Of Village-
Mahthaur, Ward No. 2, P.S.- Basopatti, Distt- 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. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-09-2023 Heard Mr. Ravi Prakash, learned counsel appearing on
behalf of the petitioner and the learned Additional Public
Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Basopatti P.S. Case No. 119 of 2023, registered for the
offences punishable under Sections 272 and 273/34 of the
Indian Penal Code and Section 30(a)/45 of the Bihar Prohibition
and Excise Act, 2022.

3. The police on an information regarding the
involvement of co-accused in paddling of liquor apprehended
co-accused 'Santosh Yadav', and in course of search, 135 liters
of illicit liquor was recovered. The apprehended persons also
disclosed the name of the petitioner as his associate.

4. Learned counsel appearing on behalf of the



petitioner submits that save and except the disclosure made by the apprehended person, there is no material suggesting the involvement of the petitioner. He next submits that the petitioner has neither any concern with the motorcycles, which have been seized by the police nor with the illicit wine, which is recovered from an open place (Brahm Asthan orchard Mahthaur). He next submitted that the petitioner is a man of fair antecedent and he undertakes that he will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that a huge quantity of illicit wine has been recovered.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the alleged recovery has been made from an open place and the petitioner has no concern with the seized vehicles coupled with the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge – II – cum – Special Judge, Madhubani in connection with Basopatti P.S. Case No. 119 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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