

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57290 of 2023

Arising Out of PS. Case No.-158 Year-2023 Thana- DEHRI TOWN District- Rohtas

BABU YADAV@ SURYA PRAKASH SON OF LATE RAM SEWAK
YADAV @ LATE RAM SEWAK SINGH RESIDENT OF VILLAGE-
PURNWASI BIGHA, PS- DALMIYA NAGAR, DISTT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-08-2023 Heard Mr. Sunil Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Ajay Kumar Jha,

learned A.P.P. for the State.

2. The petitioner apprehend his arrest in connection
with Dehri Town (Dalmianagar) P.S. Case No. 158 of 2023,
dated 07.03.2023, registered under Sections 30 (a) of Bihar
Prohibition and Excise Act.

3. As per allegation made in the F.I.R., recovery of
19.2 litres country made liquor has been made from Gosala,
which is situated besides the house of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been named in the
F.I.R. and recovery is from the Gosala, which is situated besides
the house of the petitioner.



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

6. Having considered the nature of allegation as well as the quantity of liquor recovered from the Gosala, which is situated besides the house of the petitioner and not from the house of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned 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 Exclusive Special Judge, Excise Court No.-1, Rohtas at Sasaram in connection with Dehri Town (Dalmianagar) P.S. Case No. 158 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph no. 3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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