

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64006 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- BISFI District- Madhubani

Madan Kumar Yadav @ Madan Yadav Son Of Sanichar Yadav Village-
Rupauli Ps- Bisfi Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Advocate
	:	Mr. Gagandeep Yadav, Advocate
	:	Mr. Udeshya Kumar Yadav, Advocate
For the Opposite Party/s :	:	Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Ravi Prakash, learned counsel appearing
on behalf of the petitioner and Mr. Shyam Bihari Singh, learned
APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bisfi (Patauna) P.S. Case No.202 of 2022 dated 24.07.2022
registered for the offence punishable under Sections 272, 273 of
the Indian Penal Code and Sections 30(a) of the Bihar
Prohibition and Excise Act, 2018.

3. Prosecution story, in brief, is that total recovery of
18 liters of Nepali country-made liquor has been made from a
motorcycle bearing Registration No. BR32G6656 and petitioner
is the owner of the said motorcycle.

4. Learned counsel appearing on behalf of the

petitioner submitted that petitioner is innocent and has committed no offence. He submits that the petitioner was neither present at the place of occurrence nor he was involved in liquor trade.

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

6. Considering the allegation made in the FIR, as well as, submissions made on behalf of the petitioner by the learned counsel, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. 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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Madhubani in connection with Bisfi (Patauna) P.S. Case No.202 of 2022 dated 24.07.2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

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