

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64037 of 2023**

Arising Out of PS. Case No.-67 Year-2023 Thana- NAWANAGAR District- Buxar

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SUBHASH YADAV @ SUBHASH SINGH S/O SOUHAR YADAV R/O  
VILL PALKHOULI, PS- DAWATH, DIST- ROHTAS

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      16-10-2023                      Heard Dr. Kamal Deo Sharma, learned counsel  
  
appearing on behalf of the petitioner and Mr. Bhanu Pratap  
  
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Nawanagar P.S. Case No. 67 of 2023 registered for the  
offence punishable under Sections 30(a) and 30(c) of the Bihar  
Prohibition and Excise (Amendment) Act, 2018.

3. Allegation is of recovery of 20 litres of country  
made liquor from near the bank of Kow river.

4. Learned counsel appearing on behalf of the  
petitioner submits that the petitioner is innocent and he has  
falsely been implicated in the case. He has no concern either  
with the seized liquor or trade of liquor in any manner. Nothing  
has been recovered from conscious physical possession of the



petitioner. Recovery of liquor is from an open place which is easily accessible to anyone. 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 made against the petitioner, 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 Exclusive Special Judge, Excise Court No.2, Buxar in connection with Nawanagar P.S. Case No. 67 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 Para- 3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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