

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71485 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- SALAIYA District- Aurangabad

Raj Kumar Yadav Son of Chaitu Yadav R/o vill - Bardi, P.s. - Salaiya, Distt. -
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-11-2023 Heard Mr. Ashok Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Manoj Kumar,
learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Salaiya P.S.Case No.23 of 2023, registered for the offences
punishable under Section 30(a) of Bihar Excise & Prohibition
Amendment Act, 2018.

3. Prosecution story in short is that one persons was
carrying liquor in a bag but seeing the police, he threw the bag
and fled away, who was identified as the petitioner by the local
Chaukidar and 35 ltr. of *mahua* liquor was recovered from the
open field.

4. Learned counsel appearing on behalf of the



petitioner submits that neither the petitioner was caught from the spot nor the liquor was recovered from his conscious possession and his name transpired only on the basis of disclosure of the local *Chaukidar*. Petitioner has clean antecedent.

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

6. Having considered the rival submissions made on behalf of the parties and considering the nature of allegation of recovery of 35 ltr. of country made liquor, the petitioner, above named, is directed to be released on pre-arrest 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 the court of Special Judge, Excise court No.1, Aurangabad in connection with Salaiya P.S.Case No.23 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The learned 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 lose its force.

(Purnendu Singh, J)

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