

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25010 of 2024

Arising Out of PS. Case No.-69 Year-2023 Thana- KAUWAKOL District- Nawada

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Ramvilash Yadav @ Vijay Kumar SON OF LATE RAJO YADAV Resident
Of Village -Chetabigha Ps -Nemdarganj District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-07-2024 Heard Mr. Sheo Kumar Prasad, learned counsel

appearing on behalf of the petitioner and Mr. Sanjay Kumar

Pandey, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kauwakole P.S. Case No.69/2023 for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. As per the allegation made in the F.I.R., altogether
50 litres of country made liquor was recovered from the tractor
of co-accused Rajesh Kumar.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has been
falsely implicated in the present case. He further submits that
the petitioner is the driver of the said tractor from which alleged



liquor is said to have been recovered and he has nothing to do with the alleged recovered liquor. Learned counsel further submits that co-accused Rajesh Kumar, who is owner of the said tractor, has already been granted anticipatory bail by this Court *vide* order dated 30.08.2023, passed in Cr. Misc. No.57459 of 2023. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has clean antecedent.

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

6. In the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2, Nawada in connection with Kauwakol P.S. Case No. 69/2023 subject to the conditions 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 lose its force.

(Purnendu Singh, J.)

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