

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37251 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- PALASI District- Araria

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1. Pradeep Yadav Son of Late Dhanlal Yadav Resident of village - Dhapri, Police Station - Palasi, District - Araria.
 2. Arvind Yadav Son of Baikut Lal Yadav Resident of village - Belsari, Police Station - Palasi, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate.
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-06-2024 Heard Mr. Mukesh Kumar Rana, learned counsel appearing on behalf of the petitioners and Mr. Sanjay Kumar Sharma, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Palasi P.S. Case No. 85 of 2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 76.8 litres of Nepali country made liquor from eight cartoons lying on the road.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners have been falsely implicated in the case. They have no concern either with the seized liquor or trade of liquor in any manner. The place of



recovery is an open place which is accessible to anyone. The petitioners have clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appear to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioners cannot be ruled out from illicit trade of liquor.

6. Having considered the rival submissions made on behalf of the parties and the nature of allegation against the petitioners, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their 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-II, Araria in connection with Palasi P.S. Case No. 85 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and further conditions that

(a) One of the bailors shall be Mukhiya / Sarpanch of



the Gram Panchayat to which the petitioners belong.

(b) The petitioners will make their attendance before the concerned police station under which their house is located every 10 days till conclusion of the trial and on any single default without any valid reasons on the part of the petitioners, their bail bonds shall be cancelled and the concerned SHO of the police station shall submit their monthly attendance report to the Superintendent of Police having jurisdiction.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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