

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37744 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- KRISHNAGARH District- Bhojpur

Chhathoolal Yadav @Chhathu Yadav, Son of Jodhan Yadav R/O village-
Daljeet Tola, Jay Prakash Nagar, Murli Chapra, Balia, P.S. Jayprakash Nagar,
District- Balia (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-06-2024 Heard Mr. Aryan Singh, learned counsel appearing on
behalf of the petitioner and Mr. Md. Iftekhar Mahmood, learned
APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Krishnagadh P.S. Case No. 24 of 2024, registered for the
offence punishable under Sections 30(a) of the Bihar Prohibition
and Excise Act, 2018.

3. Allegation is a recovery of 40 litres of country
made liquor from a motorcycle registered in the name of the
petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. He further submitted that



the motorcycle from which the liquor were recovered is registered in the name of the petitioner, however, the recovery was made from the place where the motorcycle was parked, which is easily accessible to anyone. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the nature of allegation made in the F.I.R., as well as, total quantity of country made liquor recovered from the motorcycle belonging to the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her 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) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No. 1, Ara/court concerned, in connection with Krishnagadh P.S. Case No. 24 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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