

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47357 of 2024

Arising Out of PS. Case No.-201 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Sukhram Yadav Son of Kumar Yadav Village- Chhawon, P.O.- Kurari, P.S.-
Durgawati, Distt.- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mirityunjay Kumar, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-08-2024 Heard Mr. Mirityunjay Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Md. Nazir Ansari,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise P.S. Case No. 201 of 2024, registered for the
offence(s) punishable under Sections 30(a), 32(3) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 9 litres of
country made illicit liquor was recovered from a motorcycle
allegedly belonging to the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is not named in the FIR and
his name has surfaced in the present case due to the fact that he
is the owner of the said motorcycle, from which, alleged seized



liquor is said to have been recovered. He further submitted that the said motorcycle was parked at a public place, which is easily accessible by any passer-by and in fact petitioner has no concern either with the seized liquor or trade of liquor in any manner. Petitioner has clean antecedent.

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

6. Considering the nature of allegation made against the petitioner as well as the fact that petitioner has clean antecedent, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act,II, Kaimur at Bhabua in connection with Excise P.S. Case No. 201 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court 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.)

Sudhanshu/-

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