

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42769 of 2023

Arising Out of PS. Case No.-204 Year-2023 Thana- RAJAOLI District- Nawada

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MUKESH YADAV Son of Ganauri Yadav Resident of village - Jobkala, P.S. -
Rajauli, Distt. - 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, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 19-02-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a)(d) of
the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases.

4. Allegation is of recovery of 8000 litres of
fermented Mahua along with utensils from the forest area.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner came to be implicated at the instance of the
Chawkidar with whom he is on an inimical term. It is next
submitted that if the Chawkidar was aware that petitioner was



indulging in trade of illicit liquor in that event why he did not inform the police earlier rather after the recovery was made the Chawkidar implicated him which casts an aspersion on the case of the prosecution.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajauli P.S. Case No. 204 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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