

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45402 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- AUANGARI District- Nalanda

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Mahesh Yadav Son of Saryug Yadav @ Buchchu Yadav R/O Vill.-
Mahmadpur, P.S.- Aungari, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Aungari P.S. Case No.42 of 2024 instituted under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. There is recovery of 15 litres of illicit country made
liquor from the bush.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to village politics. Nothing has been recovered either
from his house or from his possession. The recovery has been
made from the bush (open place) which is accessible to general
public. The petitioner is a young boy having no criminal
antecedent. The petitioner undertakes to cooperate in the



investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge V-cum-Special Judge Excise I, Nalanda at Bihar Sharif in connection with Aungari P.S. Case No.42 of 2024, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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