

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51378 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- BELDOUR District- Khagaria

Pappu Yadav @ Neeraj Yadav @ Neeraj Kumar, aged about 26 years, male,
son of Jaykant Yadav, resident of Village- Pirnagara P.S.- Beldaur, District-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-08-2024 Heard Mr. Shailendra Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Bishweshwar

Ram, learned APP for the State.

2. At the outset, learned counsel appearing on behalf
of the petitioner seeks to make necessary correction in the cause
title of the bail application in course of the day.

3. Permission is accorded.

4. The petitioner seeks pre-arrest bail in connection
with Beldaur P.S. Case No. 118 of 2024 registered for the
offence punishable under Sections 25(1-B)a, 26, 35 of the Arms
Act and Section 30 (a) of the Bihar Prohibition and Excise Act
as amended up-to-date.

5. As per the allegation made in the FIR, 10 litres of



country made liquor along with materials to prepare country-made liquor was recovered from the agricultural land of the petitioner.

6. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the case due to local village politics. Petitioner has no concern with the seized liquor nor he is involved in trade of liquor in any manner. The place of recovery is an open place which is accessible to anyone. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

8. Considering the fact that the recovery of 10 litres of country made liquor from the agricultural land of the petitioner, which is an open place and easily accessible to any one, the



petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her 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-2nd, Khagaria, in connection with Beldaur P.S. Case No. 118 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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