

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59715 of 2023

Arising Out of PS. Case No.-260 Year-2022 Thana- KISHANPUR District- Supaul

Shiv Kumar Yadav @ Shiv Kumar S/O Umesh Yadav, Resident Of Village
Sukhasan Ward No 2 PS- Kishanpur District Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 27-02-2024 Heard Mr. Kamal Kishore Singh, learned counsel
appearing on behalf of the petitioner and Mr. Ajay Kumar No.2,
learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Kishanpur P.S.Case No.260 of 2022 registered for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016 .

3. As per the allegation made in the FIR, total 105 ltr.
of Soufi Nepali illicit liquor was recovered, after breaking the
lock of one of the rooms of the house of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that the illicit liquor was recovered from
the abandoned hut, the petitioner has no concern with the same
and the petitioner is residing in a joint family house, as such, the



allegation can not be attributed only to the petitioner.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, the nature of allegation made in the FIR, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Incharge Exclusive Special Judge, Excise Court No.1, Supaul/concerned court in connection with Kishanpur P.S.Case No.260 of 2022, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below 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)

chn/-

U			
---	--	--	--

