

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1585 of 2024

Arising Out of PS. Case No.-19 Year-2023 Thana- DHANKUND District- Banka

Pankaj Yadav, aged about 37 years (Male) son of Badari Yadav, resident of Village- Bhagwanpur, Ps. Sanhoula, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Brij Nandan Prasad, learned counsel appearing on behalf of the petitioner and Mr. Gauri Shankar Gupta, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Dhankund P.S. Case No. 19 of 2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 80 litres of country made liquor from two motorcycles bearing Registration No. BR01R6099 and BR51A4650.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the case due to local village politics. He has no concern either with the seized liquor or with the alleged motorcycles any



manner. Nothing has been recovered from the conscious possession of the petitioner. On these grounds, petitioner seeks to be released on bail.

5. 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.

6. Considering the fact that the recovery of 80 litres of country made liquor, petitioner has no concern either with the seized liquor or with the alleged motorcycles any manner and nothing has been recovered from the conscious possession of the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the 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 Additional District & Sessions Judge-II, Banka, in connection with Dhankund P.S. Case No. 19 of 2023, subject to



the condition 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 Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

Niraj/-

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