

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1576 of 2024

Arising Out of PS. Case No.-286 Year-2023 Thana- BAIRIYA District- West Champaran

Dilip Yadav @ Dilip Yadav Yadav S/o Shri Kishun Yadav R/o vill-
Machhargava, P.S-Bairiya, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Advocate.

For the Opposite Party/s : Mr.Shaheen Begum, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Sarvesh Kashyap, learned counsel

appearing on behalf of the petitioner and Mrs. Shaheen Begum,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bairiya P.S. Case No. 286 of 2023 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Allegation is of recovery of 26.4 litres of country
made liquor from sugar cane field.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case. He has no concern either with the seized liquor or
trade of liquor in any manner. The place of recovery is an open
place which is accessible to anyone. Nothing has been recovered



from conscious possession of the petitioner. The petitioner has clean antecedent.

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

6. Considering the nature of allegation against 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 Exclusive Special Judge, Excise-I, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 286 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)

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