

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9106 of 2025

Arising Out of PS. Case No.-351 Year-2024 Thana- KAKO District- Jehanabad

Sanjay Yadav S/o Charitar Yadav R/o Village- Mustichak, PS- Parasbigha,
Distt- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-03-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection with Kako (Bhelawr) P.S. Case No. 351of 2024 registered for the offence(s) punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution story, 15 litres of illicit liquor was recovered from bamboo thickets near the bank of a river.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case only on suspicion. Nothing has been recovered from the conscious possession of the petitioner. Recovery of illicit liquor was made from bamboo thickets near the bank of a river, which



is easily accessible by anyone. Petitioner has antecedent of three more cases of similar nature in which he is on bail. It is lastly submitted that similarly situated co-accused has been enlarged on bail vide order dated 07.03.2025 passed in Cr. Mic. No. 6791 of 2025.

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

6. Considering the fact that nothing has been recovered from the conscious possession of the petitioner and recovery has been made from an open place, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his 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-1st, Jehanabad in connection with Kako (Bhelawr) P.S. Case No. 351 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Sourendra Pandey, J)

Prakash/-

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