

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23165 of 2025

Arising Out of PS. Case No.-265 Year-2023 Thana- HUSSAINGANJ District- Siwan

Rakesh Kumar Yadav @ Rakesh S/O Gauri Yadav @ Gaurishankar Yadav
Resident of Village- Habib Nagar, P.S. - Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-04-2025 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Hussainganj P.S.Case No.265 of 2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the allegation made in the FIR, 54 ltrs. of country-made liquor was recovered from a well kept in the cartoons.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has been falsely implicated in the case. Petitioner has no concern either with the seized liquor or trade of liquor in any manner, which is prohibited in the State of Bihar. The seized liquor was recovered from a well, which is easily accessible to the general



public. No incriminating article has been recovered from the conscious possession of the petitioner. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the nature of allegation made 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 learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No.1, Siwan/successor court in connection with Hussainganj P.S.Case No.265 of 2023 , subject to the condition as laid down under Section 482(2) of the BNSS.

7. The District Court 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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