

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43545 of 2025

Arising Out of PS. Case No.-201 Year-2025 Thana- MASAUDHI District- Patna

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Salesh @ Chhote Yadav @ Shailesh, (M), aged about 35 years, son of Satyanarayan Yadav, R/O- Sangatper Masurahi, P.O and P.S.- Masurahi, District- Patna-804452 (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mithlesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Masaurhi PS Case No.201 of 2025 dated 06.03.2025, instituted under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 50 litres countrymade liquor from a hut.

4. Learned counsel for the petitioner submits that nothing has been recovered either from the conscious possession or from the house of the petitioner. The recovery has been made from a hut which does not belong to the petitioner. Further submission is that the petitioner lives in Pali More along with



his family which is about 11 Kms away from the place of occurrence. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court-3, Patna, in Masaurhi PS Case No.201 of 2025, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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