

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88330 of 2024

Arising Out of PS. Case No.-384 Year-2024 Thana- NOORSARAI District- Nalanda

- 1 . Lalbabu Yadav S/O Shri Ramdev Yadav Village- Malbigha, Post Office- Dosut, Police Station- Noorsarai, District- Nalanda- 803110, Bihar
2. Satendra Kumar @ Satendra Yadav S/O Shri Ramdev Yadav Village- Malbigha, Post Office- Dosut, Police Station- Noorsarai, District- Nalanda- 803110, Bihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hira Sharma, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-01-2025 Heard learned counsel for the petitioner and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise Act 2016.

3 . It is alleged that 200 liters of mahua wine was recovered Near bank of river.

4. It is submitted that the petitioners are innocent and has falsely been implicated in this case . No incriminating material has been recovered from the conscious possession of the petitioner and they are no way connected with the aforesaid recovery. Petitioner No. 1 has got two criminal antecedent out of which one is of similar nature .



5 . Learned counsel for the State opposed the bail petition and submitted that petitioner No. 2 has got four criminal antecedents out of which two are of similar nature .

6. Considering the fact that petitioner No. 2 has got four criminal antecedents out of which two are of similar nature , the prayer for pre – arrest bail of petitioner No. 2 is rejected.

7. Considering the facts of the case and criminal antecedent of petitioner No. 1 , in the event of arrest/surrender within eight weeks from today, let the petitioner No. 1 , above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the larned ADJ IVth – cum- Exclusive Special Excise Court – II Nalanda at Biharsharif in connection with Noorsarai Police Station Case No. 384 of 2024 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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