

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32124 of 2015

Arising Out of PS.Case No. -165 Year- 2015 Thana -GAYA MUFFSIL District- GAYA

- =====
1. Sunil Yadav, S/o Late Briksh Yadav
 2. Yogendra Chaudhary, S/o Dhaman Chaudhary
- Both residents of village- Bhadeja, P.S.- Moffasil, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ram Sewak Choudhary(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-08-2015 At the outset, learned counsel for the petitioner submits that this application as against Petitioner No.1-Sunil Yadav has now become infructuous in view of the fact that he has already been taken into custody.

Heard learned counsel for the petitioner and the learned counsel for the State.

Petitioner No.2, namely, Yogendra Chaudhary is apprehending his arrest in connection with Mofassil P.S. Case No.165 of 2015 for allegedly having committed the offence under Sections 272 and 273 of the Indian Penal Code and Section 47A of the Excise Act.

Learned counsel appearing for Petitioner No.2 submits that the allegation against him cannot be sustained in view of the

fact that there has been no recovery from his conscious possession and also that it is a first offence.

Considering the aforementioned facts and circumstances, let Petitioner No.2, namely, Yogendra Chaudhary, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 learned Chief Judicial Magistrate, Gaya, in connection with Moffasil P.S. Case No.165 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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