

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28404 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
DARBHANGA

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Ram Narayan Yadav @ Devendra Yadav, son of Late Dev Narayan Yadav
@ Canteer Yadav, Resident of village Kalayanpur, P.S. Bahera, Distt.
Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mrs. Shama Sinha

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 27-07-2016 Heard Smt. Shama Sinha, learned counsel for the

petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in
G.O.Case no.14/16, T.R.No.428/2016 registered for the offence
under Section 47A of the Excise Act, has prayed for grant of
anticipatory bail.

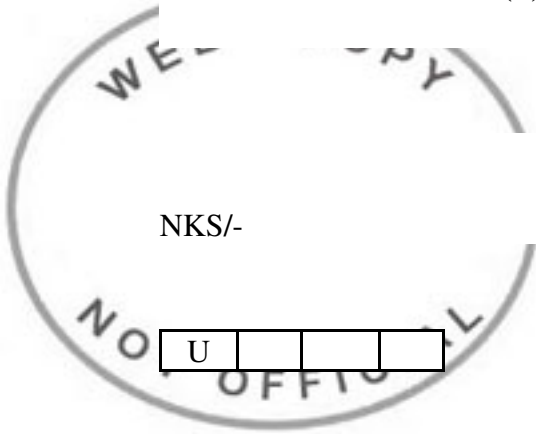
It was submitted by learned counsel for the
petitioner that the petitioner has been implicated in this case on the
basis of confession of one of the co-accused. It has been argued
that the petitioner has got no concerned with either of the vehicles,
from which huge quantity of country-made liquor allegedly
recovered. It has also been argued that one of the co-accused,

whose name has also transpired on the basis of confession of the co-accused, namely, Md. Gayasuddin @ Tanweer has already been extended the privilege of anticipatory bail vide Cr.Misc.No.28349 of 2016. Accordingly, a prayer has been made for extending the privilege of anticipatory bail.

Learned Addl. Public Prosecutor has vehemently opposed the prayer for anticipatory bail. It was submitted that the petitioner is named as one of the accused in the F.I.R. and in the case, about 1008 litres of country made liquor was recovered. However, he accepts that the petitioner's name has come on the statement made by one of the co-accused.

Keeping in view the fact that the petitioner name has transpired on the basis of confession of co-accused as well as in similar circumstance, one of the co-accused, namely, Md. Gayasuddin @ Tanweer has already been granted anticipatory bail vide Cr.Misc.No.28349 of 2016, there is no reason to deny the same relief to the petitioner. Let the petitioner, namely, Ram Narayan Yadav @ Devendra Yadav, in the event of his arrest or surrender within six weeks from today, 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 learned Judicial Magistrate, 1st Class, Benipur in connection with G.O.

Case no. 14/16, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.



(Rakesh Kumar, J)