

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50168 of 2016

Arising Out of PS.Case No. -413 Year- 2016 Thana -SHERGHATI District- GAYA

1. Rajesh Kumar Yadav S/o Basudeo yadav Resident of Village- Nawadih,
P.S. Hunterganj, District Chatra (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-11-2016 Heard the learned counsel for the petitioner and the
learned APP for the State.

Petitioner is languishing in custody since 03.09.2016
in a case registered for offence registered under Sections 272, 273
and 414 of the Indian Penal Code and under Section 47 (a) of
Bihar Excise (Amendment) Act, 2016.

The prosecution case is that the petitioner and one
Dharmjeet Kumar were caught by the police while they were
going on the motorcycle. Admittedly, nothing was recovered from
conscious possession of the petitioner and the entire recovery has
been made from two four wheelers.

It has been submitted by the learned counsel for the
petitioner that nothing has been recovered from the possession of

the petitioner and the petitioner is not concerned with the seized four vehicles of the liquor contained therein. He further submits that the petitioner has no criminal antecedent and that the other co-accused riding on the motorcycle along with him, has since been granted the privilege of bail in Cr. Misc. No. 46939 of 2016 on 27.10. 2016.

Considering the aforesaid facts and submissions of the parties and the period of custody, let the above named petitioner 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 Sub Divisional Judicial Magistrate, Sherghati, Gaya in connection with Sherghati (Dobhi) P.S.No. 413/2016.

(Nilu Agrawal, J)

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