

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40495 of 2016

Arising Out of PS.Case No. -89 Year- 2016 Thana -FATEHPUR District- GAYA

Baleshwar Yadav Son of late Birju Yadav R/o Village- Dobha Taar, P.S.
Fatehpur, District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Smt. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 03-10-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 272, 273, 34 of the Indian
Penal Code and Section 47(A) of the Excise Act.

100 litres country made mahua liquor are said to
have been recovered from the house of the petitioner but
submission on behalf of the petitioner is that the house of the
petitioner and co-accused, Rajendra Yadav are joint and even if
the aforesaid allegation assumed to be true, then also, the aforesaid
recovery has been made from a joint house and moreover, having
more or less similar allegation, co-accused, Rajendra Yadav, who
happens to be brother of the petitioner, has already been granted

privilege of bail by a co-ordinate Bench of this Court. Petitioner does not have any criminal antecedent which is evident from perusal of para-3 of the petition.

Considering the aforesaid facts and circumstances as well as period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Ramesh Kumar, Judicial Magistrate 1st Class, Gaya in connection with Fatehpur P.S. Case No. 89 of 2016.

(Hemant Kumar Srivastava, J)

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