

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27434 of 2016

Arising out of PS.Case No. -56 Year- 2015 Thana -PIRI BAZAR District- LAKHISARAI

- 1. Dhaneshwar Yadav.
- 2. Kailu Yadav @ Kailash Yadav.
- 3. Dwarika Yadav @ Dwarik Yadav @ Dorik Yadav.
- 4. Gopali Yadav @ Gopal Yadav.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Dharmendra Kumar Raju, Advocate.
For the Opposite Party : Mr. Sri Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Piri Bazar P.S. Case No. 56 of 2015 for the offences instituted under Sections 290 of the IPC and 47(a) of the Excise Act.

The prosecution story, in brief, is that when the raiding party reached near the hut, then some persons started fleeing away from there. On chase, one person was arrested with the help of police personnel. On being asked he disclosed his name Boudhu Yadav. When the raiding party entered in the hut, then found that illicit country made liquor was being prepared and many equipments for preparation of the country made liquor were also

found and seized and thereafter a seizure list was prepared there.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He has been made accused in the present case on the basis of confession made by one Boudhu Yadav. There is no recovery of any incriminating article from conscious possession of the petitioner. The place of seizure also do not belong to the petitioner. The other co-accused persons have been granted anticipatory bail by this Court vide Cr. Misc. No. 10145 of 2016.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Piri Bazar P.S. Case No. 56/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Lakhisarai, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)