

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51286 of 2016

Arising Out of PS.Case No. -429 Year- 2016 Thana -SHERGHATI District- GAYA

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1. Ram Bilash Yadav S/o Late Kusar Yadav Resident of Village-Sherpur,
P.S.-Sherghati, District-Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-11-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in judicial custody since 05.10.2016 in connection with Sherghati P.S.Case no. 429 of 2016 for the alleged offences under Sections 272 and 273 of the Indian Penal Code and 47(a) of Bihar Excise Amendment Act.

The prosecution case is that while the police on patrolling duty saw 3-4 persons running away and apprehended one Rajendra Manjhi, who disclosed the name of the petitioner and other co-accused. Thereafter the police seized 20 liters of Mahua wine from Salaiya hill.

Learned counsel for the petitioner submits he is innocent and has falsely been implicated in the aforesaid case on

the confessional statement of co-accused, whose statement has no evidentiary value in the eye of law. He further submits that nothing has been recovered from his conscious possession and that simply because there was a case under Section 47(a) of the Bihar Excise Act in the year 2008 that the petitioner has been made accused. He further submits that his name has surfaced due to dirty village politics and that the petitioner's name surfaced on the confessional statement of co accused.

However, learned A.P.P. for the State submits that the petitioner is named in the FIR, hence, opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions made by the parties, 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 A.C.J.M., Sherghati, District-Gaya in Sherghati P.S.Case No. 429 of 2016

(Nilu Agrawal, J)

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