

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37587 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -ROUH District- NAWADA

- =====
1. Akhilesh Yadav @ Akhlesh Yadav @ Akash Raj @ Aakash Raj,
 2. Kamlesh Yadav, both sons of Bundi Yadav, resident of Village Gorihari, P.S. Roh, Dist.- Nasada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8/ 13-11-2017

Counsel for the petitioners has submitted that this application in respect of petitioner No.1, Akhilesh Yadav @ Akhlesh Yadav, @ Akash Raj @ Aakash Raj, has already been dismissed by order dated 28.08.2017 since he was arrested by the police.

Heard learned counsel for the petitioner no.2 and learned APP for the State.

Petitioner no.2 apprehends his arrest in **Roh P.S. Case No.14 of 2017** instituted for the offence under Section(s) Section 30-A of the Bihar Prohibition & Excise Act, 2016.

Counsel for the petitioner has submitted that from the seizure list itself, it is apparent that the alleged recovery was made from the field of Kusheshwar Yadav. Petitioner has clean antecedents and there is no recovery from his possession.



In the facts and circumstances of the case, prayer of the petitioner no.2 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner no.2, named above, within six weeks from today in connection with **Roh P.S. Case No.14 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate VI, Nawada**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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