

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47026 of 2017

Arising Out of PS. Case No.-347 Year-2017 Thana- DEHRI TOWN District- Rohtas

Raj Deo Yadav, Son of Late Guput Yadav @ Guput Singh, Resident of Village- Rajwarwa, Purnwashi Bigha, Police Station- Dalmiya Nagar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar singh

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 09-11-2017 Heard Sri Sunil Kumar Singh, learned counsel for the petitioner. None appeared on behalf of the State.

The sole petitioner, apprehending his arrest in Dehri (Dalmianagar) P.S. Case No. 347 of 2017 registered for the offence under Section 37(a), 38(i) (ii) & 41(i) of the Bihar Prohibition and Excise Act, 2016 has prayed for grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that petitioner in the present case has been made accused only on accusation that from the field of the petitioner which was far away from his residential house beneath



straw one bag of “desi masaledar wine” was concealed and Police when arrived five accused persons fled away. The villagers disclosed the name of accused who fled away, however, save and except the allegation that petitioner was owner of the land in question, it was not alleged as to whether petitioner had fled away or not. Specific allegation was made against five accused persons who fled away. He submits that the said wine was never kept in the field with the consent of the petitioner and petitioner has falsely been made accused due to village politics.

Considering the facts and circumstances as well as the fact that though villagers had named five persons who fled away from the place of occurrence and amongst them petitioner’s name does not find place, there is no reason to refuse the prayer for extending the privilege of anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Raj Deo Yadav be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Sessions Judge II – cum – Spl. Court Excise,
Rohtas at Sasaram / concerned court in connection with
Dehri (Dalmianagar) P.S. Case No. 347 of 2017 subject to
the conditions as contemplated under section 438 (2) of the
Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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