

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53265 of 2017

Arising Out of PS. Case No.-397 Year-2017 Thana- BIHTA District- Patna

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1. Shewakh Rai @ Ram Sewakh Yadav, S/o Late Saryug Rai.
 2. Bijeshwar Rai @ Dijeshwar Rai , S/o Late Saryug Rai.
 3. Sanjeet Kumar, S/o Bijeshwar Rai @ Bijeshar Rai, All are residents of Village- Daulatpur, Police Station - Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Sri Madhuranand Jha

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 09-11-2017 Sri Pramod Kumar, learned counsel for the petitioners, at the very outset submits that one error has occurred in respect of name of father of petitioner no. 3. Instead of son of Bijeshwar Rai @ Bijeshar Rai , it has incorrectly been typed as Janeshwar Rai. He requests for allowing him to make correction.

The prayer is allowed.

It may be done in course of the day.

Heard Sri Pramod Kumar, learned counsel for the petitioners and Sri Madhuranand Jha, learned Additional Public Prosecutor.

Three petitioners, apprehending their arrest in Bihta P.S. Case No. 397 of 2017 corresponding to SPL. Case No. 2648 of



2017 registered for the offence under section 272, 273 of the Indian Penal Code , 1860 and Section 30(a) of the Bihar Prohibition and Excise Act, 2016 , have prayed for grant of bail in the event of their arrest or surrender.

It was submitted by learned counsel for the petitioners that petitioners have been made accused only on the basis of confession made by the co –accused, which was made before Police and save and except such confession, there is no other material to connect the petitioners and petitioners are having clean antecedent , which fact has been stated in paragraph no. 3 of the petition.

Considering the fact that petitioners were made accused on the basis of confessional statement made before the Police as well as clean antecedent of the petitioners, in the event of their arrest or surrender within a period of six weeks from today, let the aforesaid three petitioners Shewakh Rai @ Ram Sewakh Yadav , Bijeshwar Rai @ Dijeshwar Rai and Sanjeet Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Spl. Court, Excise, Patna/ concerned court in connection with Bihta P.S. Case No. 397 of 2017 corresponding to Spl. Case No. 2648 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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