

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51575 of 2017

Arising Out of PS. Case No.-149 Year-2017 Thana- BIHTA District- Patna

Ishwardhari Yadav, aged about 33 years, son of Sri Surender Rai, resident of Village- Maudahi, Police Station- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Shailesh Kumar

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 09-11-2017 Heard Sri Shailesh Kumar, learned counsel for the petitioner and learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in Bihta P.S. Case No. 149 of 2017, Spl. Case No. 168 of 2017 registered for the offence under section 30(a), 37(a) , 37(b) and 37 (c) 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's name has come only on confessional statement of the co- accused however, there is no other material to connect the petitioner in the present case. He has also drawn my attention to Annexure -2 to the petition i.e. copy of an order dated 06.07.2017 passed in Cr. Misc. No. 15449 of 2017 whereby one of the co -accused Pannu Kumar Ray almost in



similar circumstances has been extended the privilege of anticipatory bail. He has further drawn my attention towards the statement made in paragraph no. 3 of the petition to show that petitioner is having clean antecedent .

Considering the fact that petitioner's name has come only on confessional statement of the co- accused, clean antecedent of the petitioner as well as the fact that one of the co -accused has been extended the privilege of anticipatory bail , in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Ishwardhari 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 Special Judge – cum – A.D.J. VIII, Patna / concerned court in connection with Bihta P.S. Case No. 149 of 2017 , Spl. Case No. 168 of 2017 subject to the conditions as contemplated under section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

praful/-

U		T	
---	--	---	--

