

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10094 of 2017

Arising Out of PS.Case No. -361 Year- 2016 Thana -FATEHPUR District- GAYA

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Baliram Yadav @ Balram Yadav, S/o Barun Yadav @ Baudha Yadav,
resident of Village- Parsawan, P.S.- Tankupa, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-03-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Fatehpur P.S.

Case No. 361 of 2016 instituted for the offence under sections
272, 273 of the Indian Penal Code and 38(a)(g) of Bihar
Prohibition and Excise Act.

It is submitted on behalf of the petitioner that no
recovery was made from his possession. The alleged motorcycle
does not belong to the petitioner.

In the written report, it is alleged that total 23 liters of
'Mahua' wine was recovered from the motorcycle on which the
petitioner was alleged to be sitting.

It is mentioned in the written report itself that
petitioner was not apprehended on the spot. The petitioner has



stated in para-9 of the bail petition that motorcycle does not belong to him.

It is mentioned in para-3 that petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner named above, within six weeks from today, in connection with Fathepur Case No. 361 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J)

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