

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23108 of 2018

Arising Out of PS. Case No.-4 Year-2018 Thana- GOVINDGANJ District- East Champaran

1. Jitendra Yadav son of Late Fulena Yadav,
 2. Manoj Yadav, son of Late Maharaj Yadav
- Both residents of village-Barharwa Bandh, P.S.
Malahi, District-East Champaran

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. None.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 23-04-2018 Heard Sri Umesh Chandra Verma, learned counsel
for the petitioners. None appeared on behalf of the State.

Two petitioners, apprehending their arrest in Govindganj (Malahi) P.S. Case No.04 of 2018 registered for the offence under Sections 272,273/34 of the Indian Penal Code and Sections 30(a), 33 and 36 of the Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail, in the event of their arrest or surrender.

By way of referring to the F.I.R., learned counsel for the petitioners submits that in the case, about 2 liters of country made liquor was found in a government toilet, which was situated behind the house of one of the co-accused and on the basis of confessional statement of the co-accused, the



petitioners' name have come as if petitioners were also indulged in sale and purchase of liquor. Learned counsel for the petitioners has drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioners are having clean antecedent.

Considering the fact that petitioners' name have come in the confessional statement of co-accused, nature of accusation as well as clean antecedent of the petitioners, let both the aforesaid petitioners, namely, (i) Jitendra Yadav and (ii) Manoj Yadav, in the event of their arrest or surrender within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran in connection with Govindganj (Malahi) P.S. Case No.04 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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