

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25724 of 2018

Arising Out of PS. Case No.-92 Year-2017 Thana- DEODHA District- Madhubani

Dev Narayan Yadav, Son of Mahendra Yadav, Resident of Village- Ghat
Madhiya, P.S. Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 290/34 of the Indian Penal Code and
Section 37(B) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that accuseds were in
drunken state along with fire arms.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 23.9.2017. Charge-
sheet/prosecution report has been submitted in this case. There
is no allegation of tampering of witnesses alleged against the
petitioner. From the possession of co-accused Sujit Kumar
Yadav, one country made pistol along with two cartridges are
said to have been recovered. No fire arms is recovered from the



possession of the petitioner. The petitioner was driving the motorcycle in a drunken state. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II-cum- Special Judge, Excise Act, Madhubani in connection with Deodha P.S. Case No. 92/2017 (G.R. No. 584/2017).

(Sudhir Singh, J)

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