

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 37412 of 2018

Arising Out of PS. Case No.-132 Year-2018 Thana- Singheshwar District- Madhepura

Uday Kumar Yadav, Son of Mukho Prasad Yadav, Resident of Village-
Jogbani, P.S.- Gamhariya, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar - 1

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 03-07-2018 Heard Sri Shailendra Kumar Singh, learned counsel
for the petitioner and Sri Abhay Kumar-1, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Special Excise Case No. 77 of 2018, arising out of Singheshwar
P.S. Case No. 132 of 2018, registered for offence under Section
30(a) of Bihar Prohibition & Excise Act, 2016 and Sections
18(c), 27 b (ii) & 27(d) of Drugs and Cosmetic Act, 1940, has
prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioner
that in this case, petitioner has been made accused only on the
basis of confessional statement of one of the co-accused, from
whose house, there was recovery of small quantity i.e. 1 litre &
620 ml. of Indian make foreign liquor in 9 bottles containing
180 ml. each and some cough syrup. Except confessional
statement of co-accused, there is no other material to connect



the petitioner in the present case.

Learned Addl. Public Prosecutor, though has opposed the prayer, he was not in a position to dispute the fact that nothing was recovered from the house of the petitioner.

Considering the nature of accusation as well as clean antecedent of the petitioner, as stated in paragraph – 3 of the petition, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Uday Kumar Yadav be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II cum Special Judge, Excise Act, Madhepura in connection with Special Excise Case No. 77 of 2018, arising out of Singheshwar P.S. Case No. 132 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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