

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 60277 of 2018**

Arising Out of PS. Case No.-66 Year-2018 Thana- Yadopur District- Gopalganj

Bittu Mali S/o Gorakh Mali, R/o Village – Dharampur, P.S. Yadavpur, District  
– Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2. 28-09-2018 Heard Sri Harendra Prasad, learned counsel for the petitioner and Sri Pranav Kumar, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Yadopur P.S. Case No. 66 of 2018 registered for offence under Sections 272/273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

At the very outset, learned counsel for the petitioner has drawn my attention to statement made in paragraph – 3 of the petition to show that petitioner is having clean antecedent. It has further been argued that petitioner has been made accused only on the basis of confessional statement of co-accused. He submits that save and except confessional statement, there is no



other material against the petitioner.

Considering the nature of accusation, clean antecedent as well as the fact that petitioner has been arrayed as accused on the basis of confessional statement of co-accused, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Bittu Mali 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 Addl. Sessions Judge II-cum-Special Judge, Excise Act, Gopalganj in connection with Yadopur P.S. Case No. 66 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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