

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 58697 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- Fatehpur District- Gaya

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1. Devnandan Yadav @ Devnandan Prasad, S/o Ramji Yadav, Resident of Village- Bardiha, P.S.- Tenkupa, District- Gaya.
 2. Satendra Yadav, S/o Suresh Gope, Resident of Village- Fatehpur, P.S.- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Binod Kumar 3

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-09-2018 Heard Sri Ravindra Kumar Sinha, learned counsel for the petitioners and Sri Binod Kumar No. 3, learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Fatehpur P.S. Case No. 32 of 2018 registered for offence under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail in the event of their arrest or surrender.

At the very outset, learned counsel for the petitioners has drawn my attention to statement made in paragraph – 3 of the petition to show that petitioners are having clean antecedent. It has also been argued that petitioners have been made accused on an accusation, as if, after noticing the police, they, leaving



their motorcycle, fled away and from that motorcycle, there was recovery of about 20 liters of *mahua* liquor. It has been emphatically argued that said motorcycle was not belonging to the petitioners.

Considering the nature of accusation as well as clean antecedent, in the event of arrest or surrender within a period of six weeks from today, let aforesaid two petitioners namely Devnandan Yadav @ Devnandan Prasad and Satendra Yadav be enlarged 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 Excise Judge, Gaya in connection with Fatehpur P.S. Case No. 32 of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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