

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58617 of 2018

Arising Out of PS. Case No.-464 Year-2018 Thana- BODHGAYA District- Gaya

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Dilkhush @ Dilkhush Kumar Yadav , Son of Nanhak Yadav, Resident of
village - Sewa Bigha, P.S.- Bodhgaya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Shivendra Prasad

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-09-2018 Heard Sri Shivendra Prasad , learned counsel for the

petitioner and Smt. Veena Kumari Jaiswal, learned Additional

Public Prosecutor.

The sole petitioner, apprehending his arrest in
connection with Bodhgaya P.S. Case No. 464 of 2018,
registered for the offence under Section 30(d) of the 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 the statement made in paragraph - 3
of the petition to show that petitioner is having clean antecedent.
Besides this, it has been argued that nothing was recovered
from conscious possession of the petitioner. He submits that in
the case recovery of about 80 Kilograms of *Mahua* flower was



shown from road and petitioner was made accused as if petitioner fled away.

Be that as it may, considering the nature of accusation and clean antecedent of the petitioner, in the event of his arrest or surrender within a period of six weeks from today, let petitioner - Dilkhush @ Dilkhush Kumar Yadav be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya / concerned court in connection with Bodhgaya P.S. Case No. 464 of 2018 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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