

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33887 of 2018

Arising Out of PS. Case No.-215 Year-2017 Thana- DHURAIYA District- Banka

Abhbho Yadav, S/o Ashok Yadav, Resident of Village- Mirjapur Changeri,
Police station- Barahat, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Ajay Mukherjee

For the Opposite Party/s : Sri Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 27-06-2018 Heard Sri Ajay Mukherjee , learned counsel for the
petitioner and learned Additional Public Prosecutor.

The sole petitioner, having clean antecedent, which fact has been stated in paragraph no. 3 of the petition, apprehending his arrest in connection with Dhoraiya P.S. Case No. 215 of 2017 , registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that in the present case petitioner has been made accused only on the basis of confessional statement of co-accused. He submits that nothing was recovered from his conscious possession. According to learned counsel for the petitioner save and except confessional statement of co-accused, there is no



other cogent material to connect the petitioner in the present case.

Learned Additional Public Prosecutor has opposed the prayer for grant of anticipatory bail. However, considering the fact that petitioner is having clean antecedent as well as the fact that he has been made accused only on the basis of confessional statement of co-accused made before Police, there is no reason to refuse the prayer for grant of anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Abhbho 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 2nd Additional Sessions Judge, Banka / concerned court in connection with Dhoraiya P.S. Case No. 215 of 2017 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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