

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 61671 of 2018

Arising Out of PS. Case No.-81 Year-2017 Thana- Salaiya District- Aurangabad

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1. Brij Nandan Yadav Son of Dukhan Yadav
2. Umesh Yadav Son of Late Chaitan Yadav
Both resident of Village-Gajraj Bigha, P.S.-Salaiya, Distirct-Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Dr. Leelawati Kumari
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 08-10-2018 Heard Dr. Leelawati Kumari, learned counsel for the
petitioners and learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Salaiya P.S. Case No. 81 of 2017 registered for offence under Sections 30(a), 38 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 petitioner has drawn my attention to statement made in paragraph – 3 of the petition to show that petitioners are having clean antecedent. She further submits that petitioners in the present case have been arrayed as accused on the basis of confessional statement made by one of the co-accused. She submits that save and except disclosure of co-accused, there is no other material to



connect both petitioners in the present case.

Considering the fact that petitioners are having clean antecedent as well as they have been made accused on the basis of disclosure made by co-accused, in the event of their arrest or surrender within a period of six weeks from today, let both petitioners namely Brij Nandan Yadav and Umesh 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 Additional Sessions Judge VII cum Special Judge (Excise), Aurangabad in connection with Salaiya P.S. Case No. 81 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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