

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36557 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- RAJGIR District- Nalanda

Nagina Yadav S/o Baleshwar Yadav, R/o Vill.- Bari Milki Rajgir, P.S.- Rajgir,
District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ganesh Sharma, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-06-2018 Heard Sri Ganesh Sharma, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, having clean antecedent, which fact has been stated in paragraph-3 of the petition, apprehending his arrest in Rajgir P.S. Case No.70 of 2018 registered for the offence under Sections 30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender.

Learned counsel for the petitioner, by way of referring to the F.I.R., submits that from the F.I.R., it is evident that police had noticed many articles, which were being used for preparation of liquor in the field of one Gopal Singh, but he was not made accused in the present case and petitioner has been arrayed as accused and it has been indicated as if while police



arrived, the petitioner taking advantage of darkness fled away. However, the villagers, who arrived there, stated that the person, who fled away, was the petitioner. However, in the F.I.R., name of the person, who disclosed the name of petitioner, has not been indicated.

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 six weeks from today, let the petitioner, namely, Nagina Yadav 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 6th Addl. Sessions Judge-cum-Special Judge (Excise), Nalanda at Bihar Sharif in connection with Rajgir P.S. Case No.70 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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