

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16244 of 2015

Arising Out of PS.Case No. -261 Year- 2014 Thana -ARWAL District- JEHANABAD

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Vikash Sharma @ Babloo S/o Damodar Singh Resident of Village Bhimpura, P.S. Azimabad, District Bhojpur at Ara.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Md.Ataur Rahman(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 09-11-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in connection with Arwal P.S. Case No. 261 of 2014 registered for the offences punishable under Sections 414, 467, 468, 471 and 120B of the Indian Penal Code and Section 47 of the Excise Act.

Earlier case diary of the present case and Dawat P. S. Case No. 127 of 2014 were called for, which have since been received.

Learned counsel for the petitioner submits that there is no recovery from the possession of the petitioner and it is only on the confessional statement of the Truck Driver and the Khalasi that the name of the petitioner has emerged. It is further submitted that the

petitioner cannot be prosecuted on the basis of the confessional statement made by the co-accused before the police.

Learned counsel for the State after perusal of the case diary submits that save and except the confessional statement of co-accused, there is no further material in the case diary to implicate the petitioner.

Considering the aforesaid submissions and also the fact that the petitioner has no criminal antecedent, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jehanabad in connection with Arwal P.S. Case No. 261 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

Jagdish/-

(Anjana Mishra, J)

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