

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49915 of 2014

Arising Out of PS.Case No. -85 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Bipul Singh Son of Late Baleshwar Singh R/o Village Chaitya, P.O. +
P.S. Pakridyal and District East Champaran, Motihari

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Shankar Prasad Yadav

For the Opposite Party/s : Mr. Manish Kumar No.2(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-05-2015 The petitioner is apprehending his arrest in connection

with Pakridyal P.S.Case No. 85/2014 instituted under Sections

47(A) of the Excise Act.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that the Officer
Incharge of Pakridyal Police Station recorded his own statement
into an FIR stating therein that he along with his police
personnel was on way to raid and arrest some warranted accused
on 11.6.2014 at 16 P.M. In course of it as soon as he along with
his police party reached Kothi Bazar, he saw two youth coming
in opposite direction riding a bike. On seeing police party the two
bikers got unbalanced in his motion when the informant need to
check at them one who was driven the bike fled away speedly
but the back seater got down from the motor cycle and

apprehended by the police That person had taken one white colour bag and one cartoon. On search 46 bottles of Officer Choice whisky each containing 180 ML from cartoon and 200 pauches of country made liquor were recovered.

It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. Further it has been submitted that the petitioner has not been arrested at the spot . His name has figured in the present case on the basis of confessional statement of co accused that too before the police and the said is not admissible as evidence in law.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released 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 S.D.J.M., Motihari in connection with Pakridyal P.S.Case NO. 85/2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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