

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50102 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -ISUAPUR District- SARAN

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1. Shambhu Prasad @ Shambhu Singh S/o Late Bigan Prasad resident of village - Gopal Bari Mashrakh, P.S. Mashrakh, District - Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. P.K. Chourasiya (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 11-04-2016 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Ishuapur P.S. Case No. 01 of 2015 registered for the offences punishable under Sections 272, 273, 120(B) of the Indian Penal Code and Section 47(A) of the Excise Act.

Learned counsel for the petitioner submits that the name of the present petitioner has surfaced in the statement made before the police by one Fulendra Singh in which he disclosed the name of the petitioner i.e. his maternal uncle Shambhu Prasad @ Shambhu Singh, who is indulging in this illegal trade and on his direction, he boarded the vehicle to deliver the spirit to co-accused Lallan Rai.

Considering the facts and circumstnaces that the name of the petitioner has surfaced in the confessional statement of co-accused which has got no evidentiary value in the eye of law, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Ishuapur P.S. Case No. 01 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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