

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42227 of 2017

Arising Out of PS. Case No.-39 Year-2017 Thana- DARPA District- East Champaran

Horil Sah, Son of Late Mahanth God, resident of Village- Sukhlahiya, P.S.- Darpa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Abhishek Kumar

For the Opposite Party/s : Sri Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 15-09-2017 Heard Sri Abhishek Kumar, learned counsel for the petitioner and learned Additional Public Prosecutor.

The sole petitioner, who is in custody since 15.07.2017 in Darpa P.S. Case No. 39 of 2017, registered for offence under Section 272, 273 , 34 of the Indian Penal Code 1860 and section 30A of the Bihar Prohibition and Excise Act , 2016 has prayed for grant of bail.

It was submitted by learned counsel for the petitioner that petitioner's name has transpired on the confessional statement of the co- accuseds who were apprehended by the Police . It has been argued that it was the case of the prosecution that police party had seen some of the accused persons carrying some bags and after noticing police personnels all the accused persons started fleeing away after throwing bags. Out of them two



accused persons were apprehended and from recovered bags huge quantity of Nepali foreign liquor was recovered. It has been argued that save and except the confessional statement of the co-accused there is nothing against the petitioner. Learned counsel for the petitioner has also drawn my attention to the statement made in paragraph no. 3 of the petition to show that petitioner is having clean antecedent.

Considering the nature of accusation, clean antecedent of the petitioner as well as period of custody, let the petitioner Horil Sah be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge of Excise, Motihari, East Champaran / concerned court in connection with Darpa P.S. Case No. 39 of 2017.

(Rakesh Kumar, J)

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