

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14313 of 2017

Arising Out of PS.Case No. -351 Year- 2016 Thana -MASRAKH District- SARAN

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Shambhu Prasad S/o Late Bigan Prasad, resident of village - Gopalbari, P.S.
Mashrak, District - Saran at Chapra

.... Petitioner/s

Versus

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. M. Rab, APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 12-05-2017 Heard learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner apprehends his arrest in connection
with Mashrak P.S. Case No. 351 of 2016, registered for the
offence punishable under Sections 47 of the Excise Act.

Allegedly, from the shop of Jhuna Kumar Sah foreign
liquor was recovered and Jhuna Kumar Sah stated that the
petitioner used to bring the liquor and for one box of liquor, the
petitioner took Rs. 6000/-.

Submission is of false implication and that nothing
has been recovered from the house of the petitioner, only on the
basis of the confessional statement of co-accused Jhuna Kumar
Sah, the petitioner is apprehending his arrest and as such, the



petitioner deserves sympathetic consideration.

Learned A.P.P. submits that co-accused Jhuna Kumar Sah has taken the name of the petitioner at once.

In the facts and circumstances, as stated above, considering that the name of the petitioner has come in the confessional statement of the co-accused, as such, the petitioner, in the event of his arrest or surrender within four weeks from the date of receipt/ production of a copy of this order, shall 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 Additional Chief Judicial Magistrate- IIIrd, Saran at Chapra in connection with Mashrak P.S. Case No. 351 of 2016, subject to the conditions as laid down in Section 438(2) of the Cr. P.C.

(Jitendra Mohan Sharma, J)

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