

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12288 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -KASBA District- PURNIA

=====

1. Sonu @ Aatique Bhagat, Son of Amarnath Bhagat, resident of village -
Garh Banaili, P.S. Kasba, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ahmad Ali

=====

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

3 21-04-2017 Heard learned counsel for the petitioner, and the

learned counsel representing the State.

The petitioner apprehends his arrest in connection
with Kasba P.S Case No. 06 of 2017 registered for the offence
punishable under Section 30(A) of Bihar Prohibition Excise Act,
2016.

Allegedly, Mithu Kumar @ Mithu Sarkar was
apprehended with motorcycle and from his possession Royal Stag
foreign liquor was recovered and he stated that the petitioner used
to bring the liquor from Bengal and he used to purchase the same
from him.

Submission is of false implication and that
confessional statement of co-accused made before the police has



got no evidentiary value in the eye of law. Nothing has been recovered from the house of the petitioner. The petitioner has been made victim of the circumstances. There is old enmity with Mithu Kumar @ Mithu Sarkar, resulting he has given the name of the petitioner. The petitioner never indulged himself in such an activity and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. after going through the case diary fairly submits that besides confessional statement there is no other material against the petitioner.

In the facts and circumstances stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of the order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Kasba P.S. Case No. 06 of 2017 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

sushma/-

U		T	
---	--	---	--

