

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11847 of 2017

Arising Out of PS.Case No. -488 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Manoj Yadav Son of Late Dhruv Yadav, Resident of Village- Bikrampur
(Geruraha), Police Station- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-03-2017 The petitioner is apprehending his arrest in connection with Shikarpur P.S. Case No. 488 of 2016, registered for offences punishable under Sections 30(a)(c), 38(i)(ii) and 41 (1) of Bihar Excise Amendment Act, 2016.

It has been submitted on behalf of the petitioner that though he is named in the F.I.R his name transpired only on the confessional statement of co-accused and except that there is nothing against the petitioner. Petitioner has no criminal antecedent. It has further been submitted that falsity of the case is apparent from bare perusal of the F.I.R as no parentage of the petitioner has been mentioned and also wrong address of the petitioner has been mentioned as such no case is made out against the petitioner.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let petitioner surrender before the Court below and make prayer for regular bail and if any such application is filed, the court below after verifying the above submission with regard to parentage and address of the petitioner and also the submission that save and except confessional statement there is nothing against the petitioner, the Court below shall pass an appropriate order, preferably on the same day, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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