

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46473 of 2017

Arising Out of PS. Case No.-31 Year-2017 Thana- HATHIDAH District- Patna

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AVINASH KUMAR @ AVINASH KR. MAHTO S/o - Lalbabu Mahto @
Ajeet Kr. Mahto, Resident of village + P.S. - Singhia, Distt. - Samastipur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Din Bandhu Mishra, Adv.
For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-10-2017 Heard Sri Din Bandhu Mishra, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Hathidah P.S. Case No.31/2017 registered for the offence under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that the petitioner has been made accused only on the basis of confessional statement of co-accused Sonu, whereas nothing was recovered from the conscious possession of the petitioner. Learned counsel for the petitioner has drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent.



Considering the fact that the petitioner's name has come only on the basis of confessional statement of co-accused and nothing was recovered from his conscious possession as well as clean antecedent of the petitioner, let the petitioner, namely, Avinash Kumar @ Avinash Kr.Mahto, in the event of his arrest or surrender within six weeks from today, 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 the learned Sessions Judge, Patna, in connection with Hathidah P.S. Case No.31/2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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