

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.868 of 2017

Arising Out of PS.Case No. -114 Year- 2016 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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Raj Kumar Singh S/o Dharmnath Singh, Resident of Village- Gajpura, P.S.-
Muffasil Motihari , District- East Champaran..... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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

ORAL ORDER

2 12-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Pakaridyal P.S. Case No. 114 of 2016 registered for the offences
punishable under Sections 47, 51, 52, 53 and 54 of Bihar Excise
Amendment Act, 2016.

Allegedly, in the cement store of Rudra Construction
Limited huge quantity of liquor was recovered and Bidesh Kumar
Singh was arrested who stated the name of the petitioner that in
the night the petitioner and others came and dumped the liquor
after unloading from the truck and the said wine is being supplied
by Balmiki Singh.

Submission is of false implication and that the petitioner
was not arrested at the spot, nothing has been recovered from his



conscious possession, he has got no concern from that Rudra Construction, the confessional statement of Bidesh Kumar Singh made before the Police has got no evidentiary value in the eye of law, in this case Akhilesh Kumar Singh and Veena Devi have been allowed pre-arrest bail and as such the petitioner also deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that the name of the petitioner was taken by co-accused Bidesh Kumar Singh in his confessional statement and besides that there is nothing against the petitioner and, as such, the petitioner above named, in case 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 execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-12, Motihari, East Champaran in connection with Pakaridyal P.S. Case No. 114 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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