

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2765 of 2017

Arising Out of PS.Case No. -217 Year- 2016 Thana -HASPURA District- AURANGABAD

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1. Pintu Kumar, son of Pramod Prasad Singh, Resident of Village-Itwan, P.S.-Haspura, District-Aurangabad.
 2. Saksena Kumar @ Saksena, son of Yogendra Mahto, Resident of Village- Kera, P.S. Daudnagar, District- Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Kumar, Advocate

For the Opposite Party : Mr. Bhanu Pratap Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 28-01-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Haspura P.S. Case No. 217 of 2016, registered for the offence punishable under Section 20(b)(II)A of the NDPS Act and Section 30(A) of the Bihar Prohibition and Excise Act, 2016

Allegedly, from the shop of Panjkaj Prasad 1.750 Kg ganja and a weighing scale of brass and one sealed 750 ml. foreign liquor Blue Rock and six sealed 375 ml. bottle were recovered and Pankaj Prasad stated that ganja and wine were provided by Pintu Kumar and Saksena Kumar (petitioners).

Submission is of false implication and that the petitioners are the owner of brick kilns, they have not supplied the



bricks at police station, resulting, they have been implicated. The petitioners never used to consume ganja and liquor, nothing has been recovered either from the possession of the petitioner or from their houses. Confessional statement of co-accused made before the police has got no evidentiary value in the eye of law and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. submits that the name of the petitioners were taken by co-accused.

In the facts and circumstances as stated above, the petitioners in the event of their 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 bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Aurangabad, in connection with Haspura P.S. Case No. 217 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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