

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25772 of 2017

Arising Out of PS.Case No. -50 Year- 2017 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

=====

Munna , Son of Ramautar Sah, Resident of Village-Khemkaranpur, P.S.-
Aehraila, Dist.-Azamgarh (U.P.), At Present residing at Ruchi Lodge Near
Paswan Chowk, P.S.-Industrial Area, Dist.-Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Sri Ajay Kumar-1

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-07-2017 Heard Sri Anil Kumar, learned counsel for the
petitioner and learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in
Industrial Area P.S. Case No. 50 of 2017 , registered for the
offence under Section 30/ 47 of the Bihar Excise Act, 2016, has
prayed for grant of bail in the event of arrest or surrender.

It was submitted by learned counsel for the petitioner
that petitioner's name has come on the basis of confessional
statement of one of the co-accused from whose possession small
quantity of Indian make foreign liquor was recovered. He submits
that the said arrested person had stated before the Police that he
had purchased the wine from the petitioner's Bhunja shop . He



submits that nothing was recovered even from the shop of the petitioner. Only on confessional statement of the co- accused the petitioner has been made accused.

Considering the fact that petitioner's name has come on the confession of the co- accused and nothing has been recovered from conscious possession of the petitioner, there is no reason to refuse the prayer for anticipatory bail. Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Munna be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur / concerned court in connection with Industrial Area P.S. Case No. 50 of 2017 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure 1973.

(Rakesh Kumar, J)

Praful/-

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

