

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48093 of 2017

Arising Out of PS. Case No.-77 Year-2017 Thana- SHEOHAR District- Sheohar

Rakesh Kumar Roy, son of Ram Nath Roy, resident of Tetariya, P.S.
-Rajepur, District - East Champaran (Motihari).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 09-11-2017 Heard Sri S.K. Ranjan, learned counsel, assisted by Sri
Sanjay Kumar, learned counsel for the petitioner and learned
Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in Sheohar
P.S. Case No. 77 of 2017 registered for the offence under
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.

Learned counsel for the petitioner submits that save and
except confessional statement of the co- accused namely, Niraj
Kumar, there is no other material to connect the petitioner in the
present case, whereas, petitioner is having clean antecedent,
which fact has been stated in paragraph no. 3 of the petition.
Learned counsel for the petitioner further submits that even the



co-accused who disclosed the name of the petitioner has already been extended the privilege of bail by order dated 06.07.2017 passed in Cr. Misc. No. 28166 of 2017 (Annexure-2 to the petition).

Considering the fact that petitioner's name has come only on confession and besides confession there is no other material to connect the petitioner as submitted by learned counsel for the petitioner as well as clean antecedent of the petitioner as stated in paragraph no. 3 of the petition, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Rakesh Kumar Roy 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 Additional District and Sessions Judge – I- cum- Special Judge, Sheohar / concerned court in connection with Sheohar P.S. Case No. 77 of 2017 subject to the conditions as contemplated under section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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