

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24000 of 2017

Arising Out of PS.Case No. -109 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Rohit Kumar @ Prashant Kumar @ Prashant Gupta , S/o late Pradeep Gupta, Resident of Village- Fatahtola, P.S.- Turkaulia, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Akhileshwar Prasad Singh, Sr. Adv.
Mr. Mukund Mohan Jha

For the Opposite Party/s : Sri Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 19-08-2017 Heard Sri Akhileshwar Prasad Singh, learned senior counsel , assisted by Sri Mukund Mohan Jha, learned counsel for the petitioner and learned Additional Public Prosecutor .

The sole petitioner, apprehending his arrest in Turkaulia P.S. Case No. 109 of 2017 registered for the offence under section 30(a) , 35(a), 38(1), 38(2) and 41(i) of the Bihar Prohibition and Excise Amendment 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 nothing was recovered from conscious possession of the petitioner, rather in the case recovery was made from a hut of another person and on disclosure made by the co- accused



petitioner has falsely been implicated.

Considering the fact that nothing was recovered from conscious possession of the petitioner and petitioner's name has come in confessional statement of the co-accused, 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 Rohit Kumar @ Prashant Kumar @ Prashant Gupta 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, Motihari / concerned court in connection with Turkaulia P.S. Case No. 109 of 2017 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure 1973.

(Rakesh Kumar, J)

Praful/-

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