

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33575 of 2018

Arising Out of PS. Case No.-30 Year-2018 Thana- Ara Nawada District- Bhojpur

Dinesh Prasad @ Dinesh Kumar Paswan S/o Late Raj Kumar Paswan @ Raj Kumar Prasad, R/o Vill.- Shri Tola, P.S. - Ara Nawada, District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 14-06-2018 Heard Sri Anil Kumar, learned counsel for the petitioner and Smt. Veena Kumari Jaiswal, learned Addl. Public Prosecutor.

The sole petitioner, having clean antecedent, which fact has been stated in paragraph – 3 of the petition apprehending his arrest in Ara Nawada P.S. Case No. 30 of 2018 corresponding to Excise Case No. 87 of 2018 registered for offence under Sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

It was argued by learned counsel for the petitioner that nothing was recovered from conscious possession of the petitioner. In the present case, petitioner has been made accused on the basis of confessional statement of co-accused, from



whose possession about 7 liter of country-made liquor kept in number of pouches were shown to be recovered.

Learned Addl. Public Prosecutor, though has opposed the prayer for grant of bail, was not in a position to dispute the fact that petitioner's name has come only in the confessional statement of co-accused.

Considering the nature of accusation, the fact that petitioner's name has come in the confessional statement as well as clean antecedent, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Dinesh Prasad @ Dinesh Kumar Paswan be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-IV, Ara, District - Bhojpur in connection with Ara Nawada P.S. Case No. 30 of 2018 corresponding to Excise Case No. 87 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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