

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23681 of 2018

Arising Out of PS. Case No.-55 Year-2016 Thana- KURSAKANTA District- Araria

Roushan Sah S/o Udichand Sah @ Bauky, resident of Village- Tarijama, P.S. Faryani, District- Morang (Nepal).

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh. Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-04-2018 Heard Sri Anil Prasad Singh, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Special Case No.1503/2016, arising out of Kursakanta (Sonamani Godam) P.S. Case No.55/2016, registered for the offence under Sections 272/273 of the Indian Penal Code and Section 47(A) of the Bihar Excise (Amendment) Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender.

Learned counsel for the petitioner submits that the petitioner is having clean antecedent, which fact has been stated in paragraph-3 of the petition. It has been argued that the petitioner's name has come on the basis of confessional statement of co-accused, from whose possession about 7.5 liters of liquor was recovered.



Learned Addl. Public Prosecutor has opposed the prayer for bail.

Considering the fact that the petitioner's name has come in the confessional statement of the co-accused as well as the fact that the petitioner is having clean antecedent, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Roushan Sah, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Addl. Sessions Judge, Araria in connection with Special Case No.1503/2016 arising out of Kursakanta (Sonamani Godam) P.S. Case No.55/2016, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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