

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35710 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- BASANTPUR District- Siwan

Niraj Singh , S/o Madan Singh, resident of village - Sipah, P.S. - Basantpur,
District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Ranjan Kumar Dubey
For the Opposite Party/s : Sri Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-06-2018 Heard Sri Ranjan Kumar Dubey, learned counsel
for the petitioner and Sri Ajay Kumar Jha, learned
Additional Public Prosecutor.

The sole petitioner, having clean antecedent ,
which fact has been stated in paragraph no. 3 of the
petition , apprehending his arrest in connection with
Basantpur P.S. Case No. 23 of 2018 , registered for the
offence under Section 272/273/308/34 of the Indian Penal
Code, 1860 and Section 30(a) / 38 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 co-accused, there
is no other material to connect the petitioner in the present



case. It has been argued that one accused namely Kundan Singh was apprehended by Police and from his possession about 12.3 liters of Indian make foreign liquor was shown to be recovered and the arrested person confessed as if petitioner fled away after seeing Police . It has been reiterated that save and except confessional statement of co-accused, there is no other cogent material to connect the petitioner in the present case.

Learned Additional Public Prosecutor though has opposed the prayer for grant of anticipatory bail , he was not in a position to dispute the fact that save and except confessional statement of co -accused there is any other material against the petitioner.

In view of the facts and circumstances, particularly the fact that petitioner is having clean antecedent, in the event of his arrest or surrender within a period of six weeks from today, let petitioner Niraj Singh 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 Sessions Judge 2nd, Siwan / concerned court in connection with Basantpur



P.S. Case No. 23 of 2018 subject to the conditions as contemplated under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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