

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37945 of 2018

Arising Out of PS. Case No.-45 Year-2018 Thana- KARAHGAR District- Rohtas

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1. Dipesh Kumar, S/o Mithlesh Singh,
 2. Dilip Singh S/o Ram Pravesh Singh,
- Both R/o Vill.- Ghordihan, P.S.- Kargahar, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhinay Raj, Adv.

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-07-2018 Heard Sri Abhinay Raj, learned counsel for the
petitioner. None appeared on behalf of the State.

Two petitioners, apprehending their arrest in Kargahar P.S. Case No. 45 of 2018 registered for offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2016, have prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioners that in this case, only on the basis of confessional statement of co-accused, petitioners have been arrayed as accused otherwise, no recovery from their conscious possession was shown, rather in this case, from a pick-up van of one Md. Harun, there was recovery of 8.640 litres of Indian Make Foreign Liquor. It has been argued that by way of putting words into mouth of the co-



accused, petitioners have falsely been made accused in the present case.

Be that as it may, considering the fact that both the petitioners are having clean antecedent and have been arrayed as accused on the basis of confessional statement of co-accused, that too made before the police, in the event of their arrest or surrender within a period of six weeks from today, let both the petitioners, namely, 1. Dipesh Kumar and 2. Dilip Singh be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Rohtas at Sasaram in connection with Kargahar P.S. Case No. 45 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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