

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37969 of 2018

Arising Out of PS. Case No.-160 Year-2017 Thana- KARAKAT District- Rohtas

=====

Santosh Yadav @ Santosh Kumar Singh @ Santosh Kumar, S/o Gupteshwar Singh, R/o vill.- Gorari, P.S.- Karakat, District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, A.P.P.

For the Opposite Party/s : Mrs. Sahin Begam, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-07-2018 Heard Sri Nagendra Upadhyay, learned counsel for the petitioner and Smt. Sahin Begam, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Karakat P.S. Case No. 160 of 2017 registered for offence under Sections 30(a), 36 of the Bihar Prohibition & Excise Act, 2016, has prayed for grant of anticipatory bail.

At the very outset , learned counsel for the petitioner, by way of referring to the statement made in paragraph -3 of the petition, submits that petitioner is having clean antecedent. It has also been argued that in this case, the petitioner has falsely been made accused by way of putting the word in the mouth of Riyazuddin Mansoori, from whose possession recovery of only a pouch containing 200 ml of country-made liquor was shown.



Learned Addl. Public Prosecutor, though, has opposed the prayer for grant of anticipatory bail, but has not disputed the fact that in this case, the petitioner has been made accused only on the basis of confessional statement of co-accused.

Considering the nature of accusation, clean antecedent as well as the fact that the petitioner has been made accused on the basis of confessional statement of co-accused, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Santosh Yadav @ Santosh Kumar Singh @ Santosh Kumar 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 2nd Addl. District and Sessions Judge- cum- Special Judge (Excise), Rohtas (Sasaram) in connection with Karakat P.S. Case No. 160 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

U		T	
---	--	---	--

