

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 35283 of 2018

Arising Out of PS. Case No.-269 Year-2017 Thana- Chousa District- Madhepura

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Bijendra Kumar @ Asutosh @ B.M. Singh @ Asuthosh Kumar @ V.M. S/o-
Jaijai Ram Singh @ Jayjay Ram Prasad Singh, resident of Village-
Lawalagan, P.S. Chousa, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 27-06-2018 Heard Mr. Nafisuzzoha, learned counsel for the
petitioner and Sri Jitendra Kumar Singh, 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 Chousa P.S. Case No. 269 of 2017
registered for offence under Sections 30(a) & 37(b) of 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 the
petitioner has been made accused only on the basis of
confessional statement made by co-accused, from whose
possession, huge quantity of Indian make foreign liquor was
shown to be recovered. He submits that save and except
confessional statement, there is no other cogent material to
connect the petitioner in the present case.



Sri Jitendra Kumar Singh, learned Addl. Public Prosecutor has opposed the prayer for grant of bail, however; he was not in a position to dispute the fact that petitioner has been made accused only on the basis of confessional statement of the co-accused.

In view of facts and circumstances, particularly the fact that petitioner has been made accused on the basis of confessional statement of co-accused, there is no reason to refuse the prayer for anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Bijendra Kumar @ Asutosh @ B.M. Singh @ Asuthosh Kumar @ V.M. 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 S.D.J.M., Udakishunganj at Madhepura in connection with Chousa P.S. Case No. 269 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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