

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34206 of 2018

Arising Out of PS. Case No.-67 Year-2018 Thana- KHAGAUL District- Patna

Niranjan Kumar, Son of Nirmal Kumar, R/o Garikhana, P.S.- Khagaul,
District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 14-06-2018 Heard Sri Ghanshyam Tiwary, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Khagaul P.S. Case No.67 of 2018, corresponding to Special Case No.2630 of 2018 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of arrest or surrender.

At the very outset, learned counsel for the petitioner has drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent. It has further been argued 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 in the case, a motorcycle was intercepted by the police and on the motorcycle, there were three persons, however two



accused persons fled away and one Neeraj Kumar, who was driving the motorcycle and owner of the motorcycle, was arrested and he disclosed the name of the petitioner as one of the accused.

Considering the fact that the petitioner is having clean antecedent as well as the fact that the petitioner's name has come in the confessional statement of the co-accused made before the police, there is no reason to refuse the prayer for granting anticipatory bail. Accordingly, in the event of his arrest or surrender within six weeks from today, let the petitioner, namely, Niranjana 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 Special Judge, Excise Act, Patna in connection with Special Case No.2630 of 2018 arising out of Khagaul P.S. Case No.67 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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