

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62601 of 2017

Arising Out of PS.Case No. -154 Year- 2017 Thana -ALAMGANJ District- PATNA

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Ravi Shankar Prasad @ Ravi Shankar Kumar S/o Late Basudeo Prasad, R/o
Village- Dih, P.S.- Barbiga, District- Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Mukeshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

8 30-07-2018 Heard learned counsel for the petitioner and learned
APP for the State and perused the record.

Special Judge, Excise cum Addl. District and
Sessions Judge-IX, Patna submitting show cause has narrated that
at the time of rejection of bail by the learned lower court,
petitioner was not remanded as he was not produced for remand
though production warrant had already been issued on
01.09.2017, rather the petitioner was remanded in the case on
22.02.2018. He has joined the aforesaid court on 09.02.2018. As
at the time of issuing letter for production of the petitioner, the
said incumbent was not posted in the said Court, hence the
aforesaid Show Cause is accepted.

Learned counsel for the petitioner submitted that



the petitioner deals with medicine and has license to carry on the same. He has been made accused in this case merely on the basis of confessional statement and barring the aforesaid confessional statement, there is nothing in the record indicating the complicity of the petitioner in the occurrence. There is no recovery of any incriminating article from conscious physical possession of the petitioner. He is not named in the F.I.R. He was not apprehended on the spot. Other co-accused have been enlarged on bail vide Cr. Misc. No. 55777 of 2017 and Cr. Misc. No. 1228 of 2018.

In the facts and circumstances of the case, provisional bail granted to the petitioner vide order dated 22.02.2018 is confirmed.

(Prakash Chandra Jaiswal, J)

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