

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32731 of 2018

Arising Out of PS. Case No.-630 Year-2017 Thana- BARBIGHA District- Sheikhpura

Madan Mohan Kumar @ Barkun @ Barkun Mahuri, son of Chintaman Ram,
resident of Mohalla - Dhabapar, P.S.- Barbigha and Distt. -Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anjani Prasad Singh, Advocate

For the Opposite Party/s : Sri Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-06-2018 Heard Dr. Anjani Prasad Singh, learned counsel
for the petitioner and Sri Shyam Kumar Singh, learned
Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in
connection with Barbigha P.S. Case No. 630 of 2017
(arising out of Excise Case No. 839 of 2017) , 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 his arrest or surrender.

Learned counsel for the petitioner at the very
outset has drawn my attention to the statement made in
paragraph no. 3 of the petition to show that previous to



lodging of the present case petitioner was never made accused in any other case. He further submits that in this case on secret information a search was conducted in the house of one Madan Saw and from his possession huge quantity of Indian make foreign liquor was recovered. It has been argued that the said Madan Saw before Police disclosed as if petitioner was one of the members who was in the habit of purchasing wine from him. He submits that save and except confessional statement of the co -accused there is no other material to connect the petitioner in the present case.

Considering the facts and circumstances, there is no reason to refuse the prayer for grant of anticipatory bail to the petitioner.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner - Madan Mohan Kumar @ Barkun @ Barkun Mahuri be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional District and Sessions Judge, Sheikhpura /



concerned court in connection with Barbiga P.S. Case No. 630 of 2017 (arising out of Excise Case No. 839 of 2017) subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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