

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23190 of 2018

Arising Out of PS. Case No.-1417 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

1. Chandan Kumar Gupta, son of Kamta Prasad,
2. Kamta Prasad @ Kamtha Prasad, son of Late Subhag Sah @ Ramasubhag Shah,
Both residents of Village- Bahera, P.S. Kargahar, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Adv.
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-04-2018 Heard Sri Sada Nand Roy, learned counsel for the petitioners and learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Sasaram (Muffasil) P.S. Case No.1417 of 2017 registered for the offence under Sections 30(a), 35, 38 of the Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail, in the event of their arrest or surrender.

Learned counsel for the petitioners, by way of referring to the F.I.R., submits that on the basis of confessional statement of co-accused, about 41 persons have been made as F.I.R.named accused, in which the petitioners were also there. He further submits that save and except the confessional



statement of co-accused, there is no other material to connect the petitioners in the crime.

Learned Addl. Public Prosecutor has opposed the prayer for bail.

Besides hearing learned counsel for the parties, I have also perused the materials on record. On examination of the statement made in paragraph-3 of the petition, it is evident that the petitioner, besides the present case, was also accused in Kargahar P.S. Case No.277 of 2017 registered for the offence under Sections 30(a), 35, 38 of the Excise Act.

Considering the fact that the petitioner is not having clean antecedent, I am of the opinion that there is no reason to extend the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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