

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 36523 of 2018**

Arising Out of PS. Case No.-260 Year-2018 Thana- Ara Nagar District- Bhojpur

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Jiut Kumar son of Late Bharat Yadav resident of village - Ward No 18 Tari  
Mohalla PS. Ara Town Distt. Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shiv Prasad Gupta

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

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2. 28-06-2018                      Heard Sri Shiv Prasad Gupta, learned counsel for the  
petitioner and 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 Ara Town P.S. Case No. 260 of 2018 registered for offence under Section 30(A) of Bihar Prohibition and Excise Act, 2016, has prayed for grant of anticipatory bail, primarily on the ground that petitioner has been made accused only on the basis of confessional statement of the co-accused before the police.

Learned counsel for the petitioner submits that the accused, who confessed and disclosed the name of petitioner, from whose possession recovery of 12 bottles containing 180 ml. each and 1 bottle containing 750 ml. of Indian make foreign



liquor were shown and only on the basis of his statement, petitioner has been made accused, otherwise, nothing was recovered either from conscious possession of the petitioner or his premises.

Be that as it may, considering the nature of accusation, clean antecedent as well as the fact that petitioner has been made accused on the basis of confessional statement of co-accused, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Jiut 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, Bhojpur at Ara in connection with Ara Town P.S. Case No. 260 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

**(Rakesh Kumar, J.)**

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