

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36885 of 2018

Arising Out of PS. Case No.-232 Year-2017 Thana- SHEOHAR District- Sheohar

Rajesh Kumar Rai @ Surendra Kumar, Son of Krishnandan Rai, Resident of Village- Sheohar, Ward No.1, P.S. & District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Hans Lal Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-06-2018 Heard Sri Hans Lal Kumar, learned counsel for the petitioner and learned Additional Public Prosecutor.

The sole petitioner, having clean antecedent, which fact has been stated in paragraph no. 3 of the petition, apprehending his arrest in connection with Sheohar P.S. Case No. 232 of 2017 , registered for the offence under Section 47/ 54/ 57 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 has drawn my attention to the F.I.R. to show that petitioner has been arrayed as accused on the basis of confessional statement of co-accused. He submits that it is true that from Bolero two persons were arrested and from the said Bolero huge quantity of Indian make foreign liquor was recovered, and thereafter, the arrested



persons confessed as if they were going to supply the material to petitioner and one another person. It has been reiterated that save and except confessional statement of co-accused, there is no other material to connect the petitioner in the present case.

Considering the fact that petitioner is having clean antecedent as well as the fact that save and except confessional statement of co-accused, there is no other material to connect petitioner in the present case, in the event of his arrest or surrender within a period of six weeks from today, let petitioner Rajesh Kumar Rai @ Surendra Kumar 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 A.D.J. 1st cum-Special Judge, Sheohar / concerned court in connection with Sheohar P.S. Case No. 232 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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