

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32875 of 2018

Arising Out of PS. Case No.-631 Year-2017 Thana- BARBIGHA District- Sheikhpura

Madan Mohan Kumar @ Barkun @ Barkun Mahuri , son of Chintaman Ram,
resident of Mohalla- Chhoti Sangat, Barbigha, 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, A.P.P.

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. 631 of 2017 (arising
out of Excise Case No. 840 of 2017) registered for offence
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016 , has prayed for grant of bail in the event is his arrest
surrender .

It was submitted by learned counsel for the petitioner
that in the case huge quantity of Indian make foreign liquor
was shown to be recovered from the house of one Suresh



Singh and on his his disclosure as if petitioner was one of the purchaser of the wine petitioner has been made accused. It has been argued that save and except confessional statement of co-accused there is no other material to connect the petitioner in the present case. It has also been argued that on the same day on similar accusation besides the present case other two cases were also lodged, otherwise petitioner is having clean antecedent.

Besides hearing learned counsel for the parties, I have also gone through the materials available on record and after going through the same particularly the fact petitioner's name has come only on disclosure made by a co-accused, there is no reason to deny the prayer for anticipatory bail.

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 Barbigha P.S. Case No. 631 of 2017 (arising out of Excise Case No. 840 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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