

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34321 of 2018

Arising Out of PS. Case No.-50 Year-2018 Thana- NAYAGAON District- Saran

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Bimlesh Rai @ Bimlesh Kumar, son of Bandhan Ray, Resident of Bariyar Chak, P.S.- Nayagaon, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-06-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Nayagaon P.S. Case No. 50 of 2018 registered under Sections 188, 272 and 273/34 of the Indian Penal Code and Sections 30A and 38 of the Bihar Excise Amendment Act, 2016.

The accusation is that, on receiving secret information about preparing the illegal liquor, the informant along with other police officials reached at Hardiya Chwar near pond, from where, Vikash Kumar, Roushan Kumar and Sunil Kumar were apprehended with 50 litres country made liquor, gas cylinder, semi prepared country made liquors and two motorcycles. On query, they disclosed that the illicit country



made liquor was being prepared with the co-operation this petitioner.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner was not apprehended at the spot rather the police got implicated the name of petitioner on the basis of confessional statement of co-accused, Vikash Kumar, Roushan Kumar and Sunil Kumar, who were apprehended at the spot. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI, Saran at Chapra, in connection with Nayagaon P.S. Case No. 50 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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