

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33541 of 2018

Arising Out of PS. Case No.-102 Year-2017 Thana- Mohiuddin Nagar District- Samastipur

Judagi Singh @ Judagee Kumar @ Prabhat Singh S/o Radhe Singh @
Radheshyam Singh, R/o Vill.- Anandgolwa, P.S.- Mohiuddin Nagar, District-
Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amit Kashyap
Mr. Surendra Kumar Mishra
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 14-06-2018 Heard Sri Amit Kashyap, learned counsel assisted by
Sri Surendra Kumar Mishra, 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 Mohiuddin Nagar P.S. Case No. 102
of 2017 registered for offence under Sections 272, 273 of the
Indian Penal Code and Sections 30(A), 38(i), 38(ii) 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 submits that in this
case, nothing was recovered from conscious possession of the
petitioner, rather petitioner has been made accused only on the



basis of confessional statement of the co-accused from whose possession Indian make foreign liquor was shown to be recovered. It has been argued that save and except confessional statement of the co-accused, there is no other material to connect the petitioner in the present case.

Considering the fact that petitioner's name has come in the confessional statement of the co-accused, which was made before the police, as well as clean antecedent, there is no reason to refuse the prayer for grant of anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Judagi Singh @ Judagee Kumar @ Prabhat Singh 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 Additional District & Sessions Judge-II, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 102 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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