

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23660 of 2018

Arising Out of PS. Case No.-54 Year-2018 Thana- GAUTAMBUDHNAGAR District- Siwan

1. Diwakar Singh @ Bablu @ Diwakar @ Bablu Singh, son of Late Radha Singh, resident of Village- Nathanpura, P.S. G.B. Nagar, District- Siwan.
2. Chandan Sah, son of Bacha Sah @ Vacha Sah, resident of Village- Kashdawra Bangra, Police Station- Maharajganj, District- Siwan.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-04-2018 Heard Sri Raghav Prasad, learned counsel for the petitioners and Sri Umesh Lal Verma, learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in G.B.Nagar P.S. Case No.54 of 2018, registered for the offence under Sections 272/273/308 of the Indian Penal Code and Sections 30/36/38/41 of the Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail, in the event of their arrest or surrender.

Learned counsel for the petitioners submits that only on the basis of some reliable secret information as well as on the basis of confessional statement of co-accused, both petitioners



have been made accused, whereas petitioners are having clean antecedent, which fact has been mentioned in paragraph-3 of the petition.

Sri Umesh Lal Verma, learned Addl. Public Prosecutor has vehemently opposed the prayer for grant of bail on the ground that in the case, huge quantity of recovery of Indian Make Foreign Liquor has been affected and the petitioners' name has been disclosed by the co-accused, who were apprehended, whereas the petitioners after seeing the police party fled away. Besides this, prior information was also received regarding concealment of huge quantity of liquor by the petitioners.

Besides hearing learned counsel for the parties, I have also perused the materials on record. Considering the fact that the petitioners' name have come on the basis of confessional statement of the co-accused as well as the fact that the petitioners are having clean antecedent, in the event of their arrest or surrender within a period of six weeks from today, let the petitioners, namely, (i) Diwakar Singh @ Bablu @ Diwakar @ Bablu Singh (ii) Chandan Sah, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned



2nd Addl. Sessions Judge-cum-Special Judge, Siwan in connection with G.B.Nagar P.S. Case No.54 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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