

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61789 of 2018

Arising Out of PS. Case No.-708 Year-2018 Thana- SITAMARHI District- Sitamarhi

Mithilesh Rai @ Mithilesh Ray @ Mithilesh Kumar S/o Jenish Rai @
Ramjinis Rai, R/o Vill., Babhangama, Ward No. 2, P.S.- Riga, District-
Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh, Adv.
Mr. Ritesh Kumar Narain Singh, Adv.
For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 06-10-2018 Heard Sri Aditya Narayan Singh, learned counsel,

assisted by Sri Ritesh Kumar Narain Singh, learned counsel for

the petitioner and Sri Ram Naresh Rai, learned Addl. Public

Prosecutor.

The sole petitioner, apprehending his arrest in
Sitamarhi P.S. Case No. 708 of 2018 registered for the offence
under Sections 272, 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, has prayed for
grant of bail, in the event of his arrest or surrender.

It was submitted by learned counsel for the
petitioner that the petitioner is having clean antecedent and he
has been made accused on the basis of confessional statement of
co-accused. He submits that as per F.I.R., three accused persons



were moving on a motorcycle. On chase two of the accused were apprehended by the police party. From the dickey of the motorcycle, 3 pouches containing 300 ml each, total 900 ml. of country-made liquor was shown to be recovered and the petitioner was made accused, as if, the apprehended persons disclosed the name of the petitioner as one of the accused.

Be that as it may, considering the nature of accusation and clean antecedent as well as the fact that the petitioner has been made accused only on the basis of confessional statement of co-accused, in the event of his arrest or surrender, within a period of six weeks from today, let the petitioner, namely, Mithilesh Rai @ Mithilesh Ray @ Mithilesh Kumar 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 A.D.J.II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi P.S. Case No. 708 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

nawalkrs/-

U		T	
---	--	---	--

