

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35611 of 2018

Arising Out of PS. Case No.-206 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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Amit Kumar, son of Mohan Gupta @ Mohan Lal Prasad, resident of Mitha
Toli, Ilaram Chowk, P.S. Bettiah Town, District-West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-06-2018 Heard Sri Bimlesh Kumar Pandey, 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 Bettiah town P.S. Case No.206 of 2018, registered for the offence under Sections 30(a), 35, 38, 56 of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender, primarily on the ground that save and except confessional statement of co-accused, there is no other cogent material to connect the petitioner in the present case. He submits that in this case, though the house of one Shambhu Gupta was searched by the police and from his premises, huge quantity of Indian Make Foreign liquor was



recovered, but he was not made party in the present case and from the mouth of some other accused, petitioner's name and others were got extracted and they have been made accused. It has been reiterated that save and except the confessional statement of the co-accused, there is no other material to connect the petitioner in the present case.

In view of fact that the petitioner is having clean antecedent and he has been made accused only on the basis of confessional statement, there is no reason to refuse the prayer for grant of anticipatory bail to the petitioner.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Amit Kumar be enlargd 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 Special Judge, Excise, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No.206 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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