

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36360 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- PATNA CITY CHOWK District- Patna

Umesh alias Umesh Manjhi @ Umesh Paswan, son of Lakhan Manjhi,
Morcha Road, Mushari, Patna City, P.S. Chowk, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Rudra Deo, Advocate

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-06-2018 Heard Sri Rudra Deo, learned counsel for the
petitioner and learned Additional Public Prosecutor.

The sole petitioner, having clean antecedent,
which fact has been stated in paragraph no. 3 of the petition,
apprehending his arrest in connection with Special Case No.
755 of 2018 arising out of Chowk P.S. Case No. 24 of
2018 , registered for the offence under Section 272/273/34
of the Indian Penal Code, 1860 and Section 30(a) of the
Bihar Prohibition and Excise Act, 2016 , has prayed for
grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the



petitioner that two persons namely Netaish Kumar and Urmila Devi were arrested from whose possession country made liquor kept in different pouches were found and this petitioner has been made accused on the basis of confessional statement of the aforesaid two accused persons as if they alleged that they were supplying those articles to the petitioner. It has been argued by learned counsel for the petitioner that save and except the said confessional statement, there is no other cogent material to connect the petitioner in the present case.

Considering the fact that petitioner is having clean antecedent as well as the fact that he has been made accused only on the basis of confessional statement of co-accused made before Police, 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 petitioner Umesh alias Umesh Manjhi @ Umesh Paswan be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise ,



Patna / concerned court in connection with Special Case
No. 755 of 2018 arising out of Chowk P.S. Case No. 24 of
2018 subject to the conditions as contemplated under
Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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