

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 7742 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- Chapra Town District- Saran

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Pankaj Kumar Singh @ Pankaj Singh aged about 35 years, Gender – Male,
Son of Akhilesh Singh, resident of village-Rawal Tola, Chhota Telpa, P.S.-
Chapra Town, District- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 04-04-2019 Heard Sri Dewendra Narayan Singh, learned counsel

for the petitioner and Sri Madan Kumar, learned Addl. Public

Prosecutor.

The sole petitioner, apprehending his arrest in Chapra
Town P.S. Case No. 11 of 2019 registered for the offence under
Sections 188, 120(B), 34 of the Indian Penal Code and Sections
30(a), 38 and 41 of the Bihar Prohibition & 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 petitioner has been arrayed as accused only on the basis of
disclosure/confession made by one of the accused. In this case,
it is true that huge quantity of Indian make foreign liquor was



recovered loaded on a truck, but petitioner has been arrayed as accused, as if, he was one of the member, who fled away. This fact has come from the confession made by one of the accused, who was apprehended. It has been reiterated that nothing has been recovered from the conscious possession of the petitioner.

In view of the fact that petitioner has been arrayed as accused on the basis of confessional statement of one of the accused and the fact that nothing was recovered from the conscious possession of the petitioner, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Pankaj Kumar Singh @ Pankaj 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 6th Additional Sessions Judge, Saran at Chapra in connection with Chapra Town P.S. Case No. 11 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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