

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6750 of 2019

Arising Out of PS. Case No.-503 Year-2018 Thana- RAMKRISHNANAGAR District- Patna

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KRIPANAND SHARMA, S/o Vivekanand Sharma, C/o Yogendra Keshri, R/o
Mohalla- Khemnichak, Road no. 2, Shiv Nagar, P.S. Ram Krishna Nagar,
District Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 37(B),(C) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case as per the written statement of Sanjay
Madhukar, A.S.I. of Ram Krishna Nagar, P.S. submitted to the
S.H.O., Ram Krishna Nagar P.S. is to the effect that on
14.11.2018 at about 04.15 P.M., the informant received a secret
information that the petitioner and other co-accused persons are
consuming liquor at his rented house. Thereafter, a raid was laid



and on seeing the police party two accused persons were managed to escape from the scene but one accused person was apprehended, who disclosed his name as Sanjay Shekhar Bhagat. The apprehended person disclosed the name of the persons who escaped from the scene as Anil Kumar, the co-accused and Kripanand Sharma, the petitioner.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the accusation has been levelled against the petitioner. It is further submitted that the name of the petitioner sprang up only on the basis of confessional statement of the apprehended co-accused person. There is nothing on record to suggest that the petitioner was consuming liquor. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the name of the petitioner sprang up on the confessional statement of the apprehended co-accused person.

Considering the suspicious nature of accusation, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court



below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Special Judge, Excise, Patna** in connection with **Ram Krishna Nagar P.S. Case No.503 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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