

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30745 of 2019

Arising Out of PS. Case No.-134 Year-2018 Thana- BAIRIYA District- West Champaran

VICKY KUMAR Son of Late Kali Prasad Resident of Village Ellaram
Chowk, P.S. Bettiah Town, District West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Apprehending his arrest in connection with Bairya
P.S. Case No.134 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 the petitioner has filed this
application for grant of anticipatory bail.

As per the allegation in the F.I.R., on receiving secret
information the informant proceeded to the place of occurrence.
It is alleged that on seeing the police personnel coming the
accused persons threw the sack and managed to escape. It is
further alleged that on search a total of nine litres of I.M.F.L.
was recovered. The F.I.R. was registered against unknown.

It is submitted on behalf of the petitioner that from



perusal of the order of the learned court below it would transpire that on the petitioner being arrested in one another case, he is alleged to have given a confessional statement before the police that it was he (the petitioner himself) who had escaped from the police and for which Bairiya P.S. Case No.134 of 2018 had been registered. It is further submitted that the alleged confessional statement before the police has no value. The petitioner was neither present nor was he seen carrying the alleged articles.

Having heard learned counsel for the petitioner and learned A.P.P. for the State and taking into consideration the fact the name of the petitioner has transpired on his confessional statement before the police in another case, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, in the event of his arrest or surrender before the learned court below within six weeks from today be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge, Excise, West Champaran, Bettiah, in Bairiya P.S. Case No.134 of 2018 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Partha Sarthy, J)

aks/-

U			
---	--	--	--

