

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49416 of 2021

Arising Out of PS. Case No.-109 Year-2021 Thana- KUNDWACHAINPUR District- East
Champaran

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BIGU KUMAR @ PRADEEP KUMAR Son of Jagdev Das Resident of
Village - Lahan Dhaka, P.s.- Dhaka, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar
For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kundwachainpur P.S. Case No. 109 of 2021 registered
under Sections 30(a) and 41(i) of the Bihar Prohibition and
Excise (Amendment) Act.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case. Petitioner is not named in the
first information report. During the course of investigation, only
on the confessional statement of co-accused, the name of the
petitioner has been transpired. Further he submits that petitioner
was neither identified by any witness on the spot nor was seen at



the place of occurrence. Further he submits that the seized motorcycle does not belong to the petitioner. Petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the Special Judge, Excise Act, East Champaran at Motihari in connection with Kundwachainpur P.S. Case No. 109 of 2021, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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