

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58929 of 2021

Arising Out of PS. Case No.-228 Year-2021 Thana- MASHRAK District- Saran

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Tinku Kumar @ Tinku Prasad S/O Dewchand Prasad @ Deotan Prasad R/O
Village-Pachakhanda (Panchkhanda, P.S-Mashrakh, District-Saran At Chapra
(Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-01-2022 Heard learned counsel for the petitioner and Ms.

Sharda Kumari, learned A.P.P. for the State through virtual court
proceedings.

The petitioner seeks regular bail in connection with
Mashrakh P.S. Case No. 228 of 2021 instituted for the offences
under Sections 272 and 273 of the Indian Penal Code read with
Sections 30, 30(a), 38 and 41 of the Bihar Prohibition and
Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is in custody since 07.09.2021 and charge-sheet has
been submitted in the case.

Learned counsel for the petitioner submits that
allegation is of recovery of two litres of country-made liquor



from a betel shop of co-accused Devtan Prasad.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot and his name transpired in the confessional statement of Devtan Prasad which has no evidentiary value in the eyes of law.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 07.09.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 1,000/- (Rupees One Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chhapra in connection with Mashrak P.S. Case No. 228 of 2021.

(Satyavrat Verma, J)

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