

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74882 of 2022

Arising Out of PS. Case No.-150 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

=====

HIMANSHU KUMAR Son of Shambhu Yadav R/o Village - Hiratol, P.S.-
Sahebpur Kamal, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Asha Kumari

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 272, 273/34 of the Indian Penal Code, section 30(a)(d) of the Bihar Prohibition and Excise Act and Section 25(1-b)a, 26, 35 of the Arms Act.

Prosecution case relates to recovery of country made pistols and five liters country made liquor from the possession of co-accused persons near the filed of this petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. A statement has been made in para-3 of the petition that the



petitioner has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor or with the incriminating weapons. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his possession. The name of the petitioner came into light on the basis of confessional statement of co-accused before the police which has got no evidentiary value in the eye of law. The petitioner is languishing in judicial custody since 17.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sahebpur Kamal P.S. Case No. 150 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Begusarai.

(Sunil Kumar Panwar, J)

amandeep/-

U		T	
---	--	---	--

