

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.883 of 2023

Arising Out of PS. Case No.-256 Year-2022 Thana- BENIPATTI District- Madhubani

PHOOL BABU SAH @ PHOOL KUMAR SAH Son of Chandar Sah
Resident of village - Ranipur Mathari, P.S.- Benipatti, Distt.- Madhubani.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No1, Advocate
For the Opposite Party/s : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

The petitioner seeks bail in a case registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise and Prohibition (Amendment) Act, 2018.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is in custody since 07.11.2022.

Allegation is of recovery of 170.58 litres of liquor.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot and his name figured in the confessional statement of Jai Prakash Jha who was apprehended. It is, thus, submitted that confessional statement in police custody does not have any evidentiary value



in the eye of law.

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

Considering the submission, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Benipatti P.S. Case No. 256 of 2022.

(Satyavrat Verma, J)

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