

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39349 of 2017**

Arising Out of PS.Case No. -106 Year- 2017 Thana -BARAUNI District- BEGUSARAI

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Dipak Kumar, s/o Late Shivdani Singh, R/o village – Bihat ( Gurdaspur Tola ) Ward No. – 19 , P.S. Barauni ( FCI ) District Begusarai

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Sri Ahmad Ali

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      19-08-2017                      Heard Sri Shubhesh Pandey, learned counsel for the petitioner and Mr. Ahmad Ali, learned Additional Public Prosecutor.

The sole petitioner , who is in custody since 02.04.2017 in Barauni (FCI) P.S. Case No. 106 of 2017 registered for the offence under section 25 (1-b)a, 26 of the Arms Act , Section 30(a) of the Bihar Prohibition and Excise Act, 2016 has prayed for grant of bail.

It was submitted by learned counsel for the petitioner that one country made pistol and 2 Liter 100 M.L. of Indian make foreign liquor was shown recovered from Bhusakhar (place for keeping straw) which was outside the house of the petitioner, the petitioner has been made accused and apprehended. By way of referring to the statement made in paragraph no. 3 of the petition



he submits that petitioner is having clean antecedent.

Considering the nature of accusation , period of custody as well as clean antecedent of the petitioner , there is no reason to further detain the petitioner .

Let the petitioner Dipak Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand ) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 7<sup>th</sup> , Begusarai -cum -Spl. Judge, Bihar Prohibition of Excise Act, 2016 in connection with Barauni (FCI) P.S. Case No. 106 of 2017 .

**(Rakesh Kumar, J)**

Praful/-

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