

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49914 of 2017**

Arising Out of PS.Case No. -213 Year- 2017 Thana -DIGHA District- PATNA

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1. Ajay Kumar S/o Late Kashi Rai Resident of Mohalla- Kurjee More, P.O.-  
Sadaquat Ashram, P.S.- Digha, District- Patna

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Maheshwar Prasad

For the Opposite Party/s : Mr. Sri Sanjay Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      17-10-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks bail in a case instituted under  
Section 35(a) of Bihar Prohibition and Excise Act, 2016 and  
25(1-b)a/26 of the Arms Act.

It is alleged that 2 litres of foreign liquor and one one  
country made pistol with one live cartridge is said to have been  
recovered.

It has been submitted on behalf of the petitioner that the  
petitioner is in custody since 02.08.2017. There is no allegation of  
tampering of witnesses alleged against the petitioner. It is alleged  
that 2 litres of foreign liquor and one country made pistol with  
one live cartridge is said to have been recovered. There is no



compliance of section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Patna, in connection with Special Case No. 4561 of 2017, arising out of Digha P.S. Case No.213 of 2017.

**(Sudhir Singh, J)**

Amit/-

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