

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46847 of 2017

Arising Out of PS. Case No.-39 Year-2017 Thana- HATHIDAH District- Patna

Ajay Kumar, son of Sudama Singh, resident of village, Pachmahla, Police Station, Marachi, District, Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Irshad

For the Opposite Party/s : Mr. SURESH PRASAD SINGH

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 21-09-2017

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for offences punishable under Sections 25(1-b)a/26/35 of the Arms Act and Section 37(c) of the Bihar Prohibition and Excise Act, 2016.

It is contended that, as per allegation, petitioner was found in the intoxicated condition in a car which was being boarded by five persons and one empty bottle of royal stag was also found. From the possession of one of the co-accused, Rupesh Kumar, a pistol was also recovered. It is also contended that there is no recovery of any arms or liquor from the possession of the petitioner. Petitioner claims that he is having clean antecedent and is in custody since 10.07.2017.



Having regard to the facts and the circumstances of the case, the abovenamed petitioner is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Patna in connection with Hathidah P.S. Case No. 39 of 2017 (Spl. 3544 of 2017).

Further, if the petitioner, after his release in this case, is again found to be involved in similar nature of case then the court concerned would be at liberty to take steps for cancellation of his bail bond.

However, before accepting the bail bond, the court below would make verification regarding criminal antecedent of the petitioner and if he is found to be involved in any criminal case prior to filing of affidavit in this application, i.e., 11.09.2017 then he would not be released.

(Dr. Ravi Ranjan, J)

Sanjay/-

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