

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19872 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- DHANSORI District- Buxar

Devi Dayal Pathak, S/o Surya Dev Pathak, resident of Village- Patkhoulia,
P.S.- Dhansoin, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

Prosecution case, in short, is that the petitioner was found in drunken state and one rifle along with six cartridges was also recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.02.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that the petitioner was found in drunken state and one rifle along with six cartridges was also recovered. There is no compliance of Section 100



Cr.P.C. It has further been submitted on behalf of the petitioner that the daughter of the petitioner is to be married on 20.04.2018, which is evident from Annexure-2 to the present application. So far the question of recovery of arms is concerned, the same is not illegal. The petitioner possesses the licence in respect of the arms in question, which is evident from Annexure-3 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge IInd-cum-Special Judge, Excise Act, Buxar in connection with Dhansoin P.S. case No.18 of 2018.

Narendra/-

(Sudhir Singh, J)

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

