

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35069 of 2018

=====

Pankaj Kumar, Son of Kedar Thakur, Resident of Village- Haridaspur, P.S.-
Kanti,. District- Muzaaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of the Indian Penal
Code, Sections 30(a) and 37(c) of the Bihar Prohibition and Excise
Act, 2016 and Sections 25(1-b)a, 26 and 35 of the Arms Act.

5 litres of foreign liquor, one country made pistol
and two live cartridges loaded in its magazine were recovered
from the possession of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has been
falsely implicated in the case by the police by planting aforesaid



recovery from his possession as the petitioner and his father failed to cough up the illegal demand of graft made by the police personnel. He was simply apprehended in inebriated condition. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 30.03.2018.

Learned APP opposing the bail petition of the petitioner submitted that besides liquor, arms and ammunitions have also been recovered from the possession of the petitioner, hence he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, the petitioner may renew his prayer for bail after framing of charge.

(Prakash Chandra Jaiswal, J)

Mishra/-

U			
---	--	--	--

