

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35889 of 2018

Arising Out of PS.Case No. -27 Year- 2018 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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Pradeep Kumar Son of Nanhak Rai, resident of Village- Barka Pakhi, P.S.
Lakhaura, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma

For the Opposite Party/s : Mr. Kalyan Sankar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

27 litres of Nepali wine and two live cartridges are
said to have been recovered from the joint possession of the
petitioner and Bijay Kumar.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the



conscious physical possession of the petitioner. No fire arm has been recovered from his possession and without any fire arm, cartridge is useless. He has no concern with the seized articles. He has been falsely implicated in the case at the instance of his enemies by planting aforesaid recovery from his possession. Though one more criminal case has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 05.02.2018. Similarly situated co-accused, namely, Bijay Kumar has been enlarged on bail by this court vide order dated 26.04.2018 passed in Cr. Misc. No. 18489 of 2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 Addl. Sessions Judge-VII cum Special Judge, East Champaran, Motihari in connection with Mahuawa / Chhouradano P.S. Case No. 27 of 2018.

(Prakash Chandra Jaiswal, J)

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