

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38854 of 2018

Arising Out of PS.Case No. -79 Year- 2018 Thana -BAHADURGANJ District- KISANGANJ

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Yamuna Prasad Singh, Son of Late Lagu Lal Singh Resident of Village
Benugarh P.S. Terhagachh District Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

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

02 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 Section 37(C) of the Bihar Prohibition and
Excise Act, 2016 and 25(1-b) a/26 Arms Act.

The petitioner is said to have been creating nuisance in
inebriated condition and one country made pistol was recovered
from his possession and the villagers produced it before the Police.

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 no concern with the
seized Pistol. He has been falsely implicated in this case due to
dirty village politics by planting the aforesaid recovery from his
possession. Moreover, the said pistol was not recovered by the



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police rather by the villagers. He has no criminal antecedent and has been languishing in custody since 20.03.2018.

In the facts and circumstances of the case, 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 Additional District Sessions Judge-cum-Special Judge Excise, Kishanganj in connection with Bahadurganj P.S. Case No. 79 of 2018 giving rise to Special Case No. 68 of 2018.

(Prakash Chandra Jaiswal, J)

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