

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62585 of 2017

Arising Out of PS.Case No. -421 Year- 2017 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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Shiv Pratap (shiv Prasad) Gupta @ Munna S/o Late Ram Sakal Gupta, R/o
Village- Patahi Roop, P.S.- Sadar, Distt.- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-01-2018 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Sadar P.S. Case No. 421 of 2017 for the offences punishable under
Sections 143, 144, 158, 290, 414, 272, 273 of the Indian Penal
Code, 25(1-b)a, 25-1A/25-1AA/25-1AAA/35/27 of the Arms Act,
and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The case of the prosecution is that the police received
information that veteran criminals and antisocial elements had
assembled on the eve of the birth day of the daughter of the
veteran criminal and were consuming liquor and firing gun shot.
Upon a raid conducted at the house of Surendra Rai, though some
persons escaped, the petitioner was arrested and one country made



pistol along with cartridge were recovered from the person of the petitioner. It is further alleged that from the place of occurrence, 90 bottles of 180 m.l. illicit liquor was recovered, besides 11 empty bottles of foreign liquor.

The learned counsel for the petitioner submits that the petitioner has a clean antecedent and has been falsely implicated in the present case. It is further submitted that the petitioner is in custody since 23.8.2017.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail immediately on completion of six months of his custody from the date of his arrest i.e. 23.08.2017, on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge-cum-Spl. Judge, Excise, Muzaffarpur in connection with Sadar P.S. Case No. 421 of 2017 dated 22.8.2017 and also subject to other terms and conditions as may be deemed fit and proper by the learned trial court.

(Mohit Kumar Shah, J)

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