

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62135 of 2017

Arising Out of PS.Case No. -189 Year- 2017 Thana -BARGANIA District- SITAMARHI

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1. Vijay Kumar son of Ramashray Prasad @ Ramashare Sah R/o Gudari Bazar, Main Road, Baargania, District - Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case instituted under Sections 25(1-B)A, 26, 35 of Arms Act and Sections 30(A) and 37(C) of Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that one country made pistol along with three live cartridges and 3.3 litres of Nepali wine are recovered.

The petitioner is in custody since 25.07.2017. The charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that one country made pistol along with three live cartridges and 3.3. litres



of Nepali wine are recovered. There is no ballistic report on record to show whether the recovered arms was effective or not? There is no compliance of Section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Sitamarhi, in connection with Bairgania P.S. Case No.189/2017.

(Sudhir Singh, J)

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