

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66803 of 2018

Arising Out of PS. Case No.-241 Year-2017 Thana- BENIPATTI District- Madhubani

Kamlesh Kumar, Son of Ram Sewak Mahto, Resident of Village- Kansar,
P.S.- Belsand, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-11-2018 Petitioner prays for bail in connection with Benipatti
P.S.Case No. 241 of 2017 registered for the offences punishable
under Sections 25(1)(a)(b), 26(ii), 35 of the Arms Act and
Section 37(b)(c) of Bihar Prohibition and Excise Act.

Allegation is of recovery of pistol and cartridges from
the petitioner and allegation of recovery of pistol, cartridges and
liquor from other accused persons and it appears that petitioner
is accused in other cases.

Submission of learned counsel for the petitioner is
that similarly situated co-accused having recovery of pistol have
been granted bail vide order dated 9.3.2018 in Cr.Misc.No.
13749 of 2018, vide order dated 28.2.2018 in Cr.Misc.No.
11721 of 2018 and vide order dated 18.6.2018 in Cr.Misc.No.
30643 of 2018 and though he is accused in other cases but he is



on bail in most of the cases and in this case he is in custody since 30.10.2017.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Madhubani, in connection with Benipatti P.S.Case No. 241 of 2017, subject to the condition that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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