

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39420 of 2018

Arising Out of PS. Case No.-16 Year-2018 Thana- PATLIPUTRA District- Patna

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Bhrigunath Singh @ Bhrigunandan Singh Son of Late Nand Kishore Singh
resident of C/o M/S B.P. Enterprises, 104/06 Sukriti Apartment, S.P. Verma
Road, Patna at present residing in House No. 60, A.N.Path, New Patliputra
Colony, P.O. + P.S. - Patliputra, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kanchan Kumar Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016 and section 25(1-b)a, 26 of the Arms Act.

The prosecution case, in short, is that 375 ml wine and a
double barrel gun are recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The name of
the petitioner has transpired as the alleged recovery is made from the
rented flat of the petitioner. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner in
this case. It is alleged that 375 ml wine is recovered from the rented



house of the petitioner. It is further alleged that a double barrel gun is also recovered from the flat in question. The petitioner submits that he is the license holder of the gun in question. The licence number has been mentioned in paragraph 7 of the petition. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 497 of 2018 arising out of Patliputra P.S. Case No. 16 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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