

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 18857 of 2018

Arising Out of PS. Case No.-727 Year-2017 Thana- Ahiyapur District- Muzaffarpur

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Vinay Kumar Rai, S/o Harikant Roy, R/o Village – Hetampur, P.S. - Patori,
District – Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Gupta

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5. 16-05-2018 Heard Sri Saket Gupta, learned counsel for the
petitioner and Mr. Humayou Ahmad Khan, learned Addl. Public
Prosecutor.

The sole petitioner has prayed for grant of bail in
Ahiyapur P.S. Case No. 727 of 2017 registered for offence under
Section 414 of the Indian Penal Code, Sections 25(1-b)a/25(1-
AA)/25(1-AAA)/26(II)/35 of the Arms Act, 1959, Section
8/20(b)(ii)(B) of the Narcotic Drugs and Psychotropic
Substances Act, 1985 and Section 30(a) of Bihar Prohibition and
Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has incorrectly been shown to be found in a vehicle,
which was loaded with about 21.3 Kg. of *Ganja*. Besides this, it
has been alleged that from possession of the petitioner, one



loaded country-made pistol with two live cartridges as well as 9 liters of Indian make foreign liquor were recovered. Learned counsel for the petitioner tried to persuade the Court, by way of referring to statement made in paragraph - 3 of the petition that petitioner is having clean antecedent.

However, considering the weight of recovered *Ganja* as well as arms from possession of the petitioner, there is no reason to pass favourable order.

The prayer for bail stands dismissed.

(Rakesh Kumar, J.)

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