

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48027 of 2018

Arising Out of PS. Case No.-76 Year-2018 Thana- KHAGARIA District- Khagaria

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Ramchandra Sahani son of Late Chandi Sahani resident of Village
Mathurapur, Bhagat Tola, P.S. + District Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram

For the Opposite Party/s : Mr. Amrendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 28-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Khagaria
P.S. Case no. 76 of 2018 registered for the offence punishable
under Sections 25(1-B)/26 of the Arms Act and Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

1.600 lts. of country made liquor, one loaded country
made pistol and a live cartridge are said to have been recovered
from possession of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern with
the seized article. He has been falsely implicated in this case at



the instance of his enemy by planting the aforesaid recovery from his house. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 15.02.2018. The charge-sheet in the case has already been submitted.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-I-cum-Special Judge, Excise, Khagaria in connection with Khagaria P.S. Case no. 76 of 2018.

(Prakash Chandra Jaiswal, J)

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