

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48735 of 2018

Arising Out of PS.Case No. -42 Year- 2018 Thana -SAHPUR District- PATNA

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Sanjeev Kumar Son of Hari Narayan Singh Resident of Village- Sarasat,
Police Station- Naubatpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Narendra Kumar Singh

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

3 23-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 25(1-b)a, 26 and 35 of the
Arms Act and Section 37(a) of the Bihar Prohibition and Excise
Act, 2016.

Petitioner was apprehended in inebriated condition
and a loaded country made revolver and six live cartridges are said
to have been recovered from his possession.

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



by the police as he refused to become seizure list witness of the seizure of the aforesaid arms and ammunitions recovered from the possession of the co-accused Pappu Kumar. He happens to be teetotaler and never consumed liquor. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 12.02.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 Special Judge, Excise, Patna in connection with Special Case No. 1232 of 2018 arising out of Sahpur P.S. Case No. 42 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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