

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51038 of 2017

Arising Out of PS.Case No. -412 Year- 2017 Thana -NAWADA District- NAWADA

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Rajju Miyan A Son of Halim Miyan @ Tola Mian @ Halim Tailor, Resident
of Naya Tola Noor Sarai P.S. Noor Sarai District-Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-01-2018

At the outset, the learned counsel for the petitioner
seeks permission to correct the provision of law mentioned in
paragraph-1 of the petition.

He may do so during the course of the day.

Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Nawada Town P.S. Case No. 412 of 2017 for the offences
punishable under Sections 399, 402/34, of the Indian Penal Code,
under Sections 25(1-b) 26 of the Arms Act and under Section
30(a) of Bihar Prohibition and Excise Act.

The allegation in the present case is that when the
police had apprehended the petitioner herein and other accused



persons, one country made loaded pistol and one cartridge apart from one mobile were recovered from possession of the petitioner herein.

The learned counsel for the petitioner submits that there is no recovery of any illicit liquor from the person of the petitioner, hence no offence is made out under the Excise Act. It is submitted that the petitioner otherwise has a clean antecedent, but after his arrest in the present case he has been remanded in another case. The petitioner is stated to be in custody since 18.06.2017.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge, Nawada in connection with Nawada Town P.S. Case No. 412 of 2017.

(Mohit Kumar Shah, J)

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