

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4820 of 2018

Arising Out of P.S.Case No. -309 Year- 2017 Thana -DINARA District- SASARAM (ROHTAS)

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Ashok Singh @ Ashok Kharwar, S/o Late Ram Bachan Kharwar, R/o
Village - Bishrampur, P.S.- Dinara (Bhanas), District- Rohtas at Sasaram.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner is seeking regular bail in Dinara
(Bhanas) P.S. Case No. 309 of 2017 registered for offences under
Sections 25(1-b)a/26/35 of the Arms Act.

Learned counsel for the petitioner submits that it is a
case of false implication as it would appear that earlier the police
lodged a case giving rise to Dinara (Bhanas) P.S. Case No.
308/2017 for the offences alleged under Bihar Prohibition and
Excise Act, 2016 showing recovery of 250 ml Mahua wine and
some Mahua which were allegedly kept for preparation of illicit
liquor, later on, the police has lodged the present case under the
provisions of the Arms Act showing seizure of one loaded country
made rifle from the possession of this petitioner. Learned counsel



submits that there is no allegation of any firing by the said rifle and this case has been fabricated later on in order to implicate the petitioner. Learned counsel further submits that save and except the case under the Excise Act, as stated above, the petitioner has no criminal antecedent.

Learned counsel for the State is present.

In the facts and circumstances, let the petitioner, named above, be enlarged on bail on his furnishing bail bonds of Rs. 15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Sri Lal Bihari Paswan, Judicial Magistrate 1st Class, Bikramganj, Rohtas in connection with Dinara (Bhanas) Case No. 309 of 2017, subject to the conditions as laid down under Section 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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