

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29746 of 2018

Arising Out of PS. Case No.-405 Year-2017 Thana- AHIAPUR District- Muzaffarpur

Santosh Kumar, Son of Rajeshwar Singh, Resident of Village Dhanaur, P.S.-
Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Section 115 of I.P.C, Sections 25(1-b)a. 26. 35 of the Arms Act, Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Sections 20 and 22 of the N.D.P.S. Act.

Prosecution case, in short, is that one country made pistol along with 5 live cartridges, 15 kg. 350 gm. Ganja and 2.25 liters wine are recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 2.6.2017 and has got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that one



country made pistol along with 5 live cartridges, 15 kg. 350 gm. Ganja and 2.25 liters wine are recovered from the car in question. The car in question does not belong to the petitioner. There is no compliance of Section 100 of Cr.P.C and Section 42 of the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -III-cum- Special Judge, Excise, Muzaffarpur in connection with Ahiyapur P.S. Case No. 405 of 2017.

(Sudhir Singh, J)

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