

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53858 of 2018

Arising Out of PS.Case No. -245 Year- 2018 Thana -DHANARUA District- PATNA

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Anil Kumar Gupta @ Anil Kumar, son of Bachcha Prasad Gupta @ Gupta,
resident of village Jitan Chapra, P.S. Ranitalab, Kampa, District Patna and
also resident of village Paliganj, P.S. Paliganj, District Patna.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 30-08-2018 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 Section 25(1-b)a/26/35 of the Arms Act and Section 37 (b) of the Bihar Prohibition and Excise Act, 2016.

Petitioner along with five other accused persons were apprehended in inebriated condition and from possession of the co-accused, namely, Shibu Kumar one country made pistol was recovered who disclosed that they are indulged in road robbery.

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 happens to be a teetotalter and never consumed



liquor. As a matter of fact, he happens to be a student and was proceeding to the marriage party at the time of occurrence and has been falsely implicated by the police merely on suspicion. No complaint of any road robbery ever has been made against the petitioner. He has no criminal antecedent and has been languishing in custody since 12.07.2018.

In the facts and circumstances of the case, 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.6371 of 2018, arising out of Dhanarua P.S. Case No.245 of 2018.

(Prakash Chandra Jaiswal, J)

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