

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63537 of 2017

Arising Out of PS.Case No. -191 Year- 2017 Thana -KASBA District- PURNIA

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1. AJIT KUMAR MANDAL @ AJIT CHOWRASIYA @ AJIT KUMAR CHOWRASIYA S/o Surat Lal Mandal , Resident of Lalhariya, P.S.- Kasba, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2018 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Special Excise Case No. 2532 of 2017 arising out of Kasba P.S. Case No. 191 of 2017 instituted for the offences punishable under Sections 341, 323, 307, 290 of the Indian Penal Code, Sections 25(1-b)a, 26, 27 of the Arms Act and Section 37(c) of the Bihar Prohibition & Excise Act, 2016.

The allegation against the petitioner is that he had entered into the house of the neighbour in a drunken condition and he had beaten the informant by the butt of the pistol and thereafter, he started firing indiscriminately. The villagers are then said to have come at the place of occurrence and they snatched the pistol



from the hand of the petitioner and handed over the same to the police. The police had also found the petitioner to be in a drunken condition and thereafter, his breath analyzing test was conducted and liquor to the tune of 100 ml. was recovered from the petitioner.

The learned counsel for the petitioner submits that no case is made out under Sections 25(1-b)a, 26 and 27 of the Arms Act. It is further submitted that the petitioner has a clean antecedent and he has been falsely implicated by the villagers. He is stated to be in custody since 09.10.2017.

Having regard to the facts and circumstances of the case, more particularly the fact that a pistol was recovered from the place of occurrence which is said to be that of the petitioner herein, I deem it fit and appropriate to enlarge the petitioner on regular bail immediately upon completion of six months of custody. Accordingly, it is directed that the petitioner shall be released on regular bail upon completion of six months from 09.10.2017, subject to such terms as may be prescribed by the learned trial court on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge III-cum-Special Judge, Excise Act, Purnea in connection with Special



Excise Case No. 2532 of 2017 arising out of Kasba P.S. Case No. 191 of 2017.

Accordingly, the petition is disposed off.

(Mohit Kumar Shah, J)

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