

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10532 of 2018

Arising Out of PS. Case No.-133 Year-2017 Thana- DANIYAWA District- Patna

Amresh Kumar S/o- Vilas Prasad @ Vilas Das Resident of Village-
Gandhinagar, P.S. Parwalpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra kumar

For the Opposite Party/s : Mr. RAJENDRA SINGH SHASTRIJI

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 399, 402 of the Indian Penal Code, Sections 25(1-b)a, 26 of the Arms Act and Section 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that in a special drive carried out by the Police, petitioner was arrested in drunken state. Certain arms were also recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.10.2017 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. There is no recovery of



any arms from the possession of the petitioner. Petitioner is alleged to have been apprehended in a drunken state. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Petitioner has remained in custody for more than three months.

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 Special Judge, Excise Act, Patna in connection with Special Case No. 7333 of 2017 (arising out of Daniawan P.S. Case No. 133 of 2017).

(Sudhir Singh, J)

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