

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6068 of 2018

Arising Out of PS. Case No.-101 Year-2017 Thana- CHARIABARIYARPUR District-
Begusarai

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Dharma Yadav, S/o Kari Yadav, R/o Vill- Dhabauli, P.S.- Begusarai Muffasil,
Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey
For the Opposite Party/s : Mr. MD. FAHIMUDDIN

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the offences under Section 414 of the I.P.C. as well as Sections 30(A), 37(a) of the Bihar Prohibition and Excise Act, 2016 and Sections 25(1-b)a/26/35 of the Arms Act.

Prosecution case, in short, is that on the alleged date and time of occurrence the informant and police party started searching the vehicles and during search one country made pistol along with two cartridges and 375 ml wine is recovered from accused Baliram Sahni, one country made pistol along with 7 live cartridges and 375 ml wine wine is recovered from the petitioner.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.06.2017. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. As per accusation, one loaded country made pistol and 375 ml wine is recovered from the possession of the petitioner. The petitioner has remained in custody for more than six months. There is no compliance of Section 100 Cr.P.C.

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 7th-cum-Special Judge (Excise Act), Begusarai in connection with Cheria Bariyarpur P.S. case No.101 of 2017.

(Sudhir Singh, J)

Narendra/-

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