

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58013 of 2018

Arising Out of PS. Case No.-200 Year-2018 Thana- UDAKISHUNGANJ District-
Madhepura

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Manjeet Kumar Son of Mako Mandal Resident of Village Chatanma, Ward
No. 6, Police Station - Puraini, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad
For the Opposite Party/s : Mr. Umanath Mishra

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
15.07.2018 in connection with Udakishunganj P.S. Case No.
200/2018 in Excise Case No. 433 of 2018 for offences
punishable under Sections 25 (1-B)A, 26 and 35 of the Arms
Act and 37 (b)(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that two criminals are
planning to commit crime and are coming towards Karchakka
Basa in a motorcycle, the police apprehended the petitioner and
another accused Mukesh Singh. From the possession of other
accused one country-made pistol and one live cartridge was



recovered and the petitioner was in a drunken condition which was confirmed in the police station through breath analyser.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and no case under the Arms Act is made out against him as he was not found in possession of the arms and that he has been punished enough as he is languishing in judicial custody for more than two months.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Addl. District and Sessions Judge-II, Special Judge, Excise Act, Madhepura, in connection with Udakishunganj P.S. Case No. 200/2018 in Excise Case No. 433 of 2018.

(Nilu Agrawal, J)

Rajesh/Pragya

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