

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6668 of 2018

Arising Out of PS.Case No. -421 Year- 2017 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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Chandan Kumar @ Chandan Bhagat, Son of Heera Bhagat, Resident of
Krishna Toli, P.S.- Brahmpura, District- Muzaffarpur, Bihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amit Pandey, Advocate.

For the Opposite Party : Mr. Ram Sumiran Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
24.08.2017 in a case for the offence registered under Sections 143,
144, 158, 290, 414, 272, 273 of the IPC, 25(1-b)a, 25(1A),
25(1AA), 25(1AAA), 26, 26(ii), 35, 27 of the Arms Act and 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the informant
received secret information about consuming liquor by unsocial
elements in the birth day party in the house of co-accused
Surendra Rai. The informant reached there. On seeing the police
party, some persons started to flee away but 21 persons including



the petitioner was apprehended and from his possession one loaded country made pistol alongwith three live cartridges were recovered. 16.2 liters wine and some vehicles were also recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that one loaded country made pistol alongwith three live cartridges is recovered from the petitioner and total 16.2 liters wine is recovered by the side of house of co-accused Surendra Rai. The name of the petitioner has come on the basis of alleged recovery made from possession of the petitioner. There is no compliance of Section 100 Cr. P.C. Other co-accused persons have been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 53348 of 2017 with Cr. Misc. No. 52848 of 2017 dated 14.12.2017.

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, let 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 the learned Special Judge,
Excise, Muzaffarpur, Bihar, in connection with Sadar P.S. Case
No. 421 of 2017.

U.K./-

(Sudhir Singh, J)

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