

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4388 of 2019

Arising Out of PS. Case No.-448 Year-2018 Thana- RUPASPUR District- Patna

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Dilip Kumar Pandey @ Pandey @ Dilip Kumar,, son of Manori Rai @ Manohar Ray, Resident of Shaguna More, Naya Tola, P.S- Danapur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Adv.

For the Opposite Party/s : Mr.Anita Kumari Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 28-01-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special Case No. 10000 of 2018 arising out of Rupaspur P.S. Case No. 448 of 2018, registered for the offences punishable under Sections 25(1-b)a/26 of Arms Act and 37(b)(c) of Bihar Prohibition and Excise Act, 2016.

Informant who is police officer has alleged that on 16.10.2018 while he was on patrolling duty one person on motorcycle, on seeing police party tried to flee away and after chase was apprehended and on search from his possession one country made loaded pistol and two live cartridges were recovered and petitioner was also in drunken state.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been



falsely implicated in this case on the basis of suspicion. Nothing any incriminating articles or arms as well as wine were recovered from his possession. Petitioner is in custody since 18.10.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond 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. 10000 of 2018 arising out of Rupaspur P.S. Case No. 448 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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