

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13448 of 2019

Arising Out of PS. Case No.-693 Year-2018 Thana- DANAPUR District- Patna

RISHI KUMAR @ GANPAT @ RISHIKESH KUMAR, aged about 25 years,
Son of Mukund Pandey, Resident of Village - Saguna, Mainpura, P.S.-
Danapur, Distt.- Patna ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Ghanshyam Tiwary, Adv.
For the Opposite Party : Mr. Arun Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-03-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 07.10.2018 in connection with Special Case No. 9435 of 2018 arising out of Danapur P.S. Case No. 693 of 2018 for the offences alleged under Section 37(c) of the Bihar Prohibition and Excise Act, 2016, and under Sections 25(1-B)a and 26 of the Arms Act.

The prosecution case, as lodged by the police personnel, is that petitioner was apprehended with one country made pistol with one live cartridge and from the breath analyzer the petitioner was found to be in intoxicated condition.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that



charge sheet has already been submitted, there being no allegation of tampering with the prosecution witnesses.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances, the period of custody and that charge sheet has already been submitted, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Special Case No. 9435 of 2018 arising out of Danapur P.S. Case No. 693 of 2018 to the satisfaction of the learned Special Judge, Excise, Patna, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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