

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18689 of 2019**

Arising Out of PS. Case No.-379 Year-2018 Thana- ARA MUFFSIL District- Bhojpur

Bijendra Paswan, Son of Shiv Muni Paswan Resident of Village - Jagwaliya,
P.S.- Ara Muffasil, distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mrs.Sucheta Yadav

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 29-03-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 27.11.2018 in a case registered for the offence punishable under Section 37(b) of the Bihar Prohibition and Excise Act, 2016 and Sections 25(1-B)a and 26 of the Arms Act.

The prosecution case is that in connection with Ara Mufassail P.S. Case No. 93 of 2018, the house of the petitioner was raided, when the petitioner was found in inebriated condition and on search, from the possession of the petitioner, one loaded country made pistol and four live cartridges were recovered.

It is submitted by learned counsel for the petitioner that breath analyzer test of the petitioner was not conducted. A



statement has been made in paragraph no.3 of the petition that apart from the present case, the petitioner is accused in one other case. It is further submitted that the petitioner has remained in custody for more than four months.

Learned APP submits that recovery has been made from the possession of the petitioner.

Considering the fact that final report has been submitted without putting the petitioner on T.I. Parade, period under custody let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise Act, Bhojpur at Ara in connection with Ara Muffassil P.S. Case No. 379 of 2018.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

