

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25364 of 2019

Arising Out of PS. Case No.-95 Year-2018 Thana- RAMKRISHNANAGAR District- Patna

Chandan Kumar, Son of Rameshwar Mahto, resident of Mohalla-Khemni
Chak, P.S.-Ram Krishna Nagar, District-Patna. Petitioner.

Versus

The State of Bihar. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in Ram Krishna Nagar
P.S. Case No. 95 of 2018 registered under Section 30 (a) of the
Excise Act, Section 25 (1-b)a/26/35 of the Arms Act and Section
395 and 412 of the Indian Penal Code.

Five tempo borne miscreants are said to have
plundered Rs.10503/-, Aadhar Card, key, mobile etc. of the
informant and fled away and entered into a room from where all
the accused persons including the petitioner were apprehended
and from the possession of the petitioner cash of Rs.1000/- and
looted mobile were seized, while 1.200 liters of country made
liquor was recovered from the said room and fire arms,
ammunitions and cash were recovered from the rest of the
accused persons.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. He has no concern with the aforesaid occurrence. No incriminating article has been recovered from his conscious physical possession. The mobile seized from the possession of the petitioner is hailing to him. Neither the petitioner nor the seized mobile was put on T.I.P. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Earlier the bail prayer of the petitioner was rejected on 21.08.2018 with a direction to the learned trial Court to conclude the trial as expeditiously as possible preferably within six months but the case has not yet been committed. The petitioner has been languishing in custody since 16.03.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna in connection with Ram Krishna Nagar P.S. Case No.95 of 2018.

(Prakash Chandra Jaiswal, J.)

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