

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32459 of 2019

Arising Out of PS. Case No.-48 Year-2019 Thana- BRAHMPUR District- Buxar

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Ritesh Chaubey @ Raju Chaubey Son of Vinayak Chaubey Resident of
Village - Jawahi Diyar, P.S.- Haldi in the District of Baliya (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 414/34 of the Indian Penal Code and Sections-25(1-
B)a, 26, 35 of the Arms Act as well as 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2016.

The prosecution case in short is that while the informant
was on drive to arrest the person involved in selling of illicit
wine, a vehicle was seen coming from north side of Majholia.
The vehicle was asked to stopped but the accused persons tried
to run away. They were apprehended and the petitioner is one of
them. On search, one pistol and two cartridges were recovered
from possession of the petitioner.

It has been submitted on behalf of the petitioner that there



is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 18-02-2019. Charge sheet has already been submitted. 264 litres wine is recovered from the vehicle. one pistol and two cartridges were recovered from possession of the petitioner. The other co-accused with similar allegation has been granted bail by a coordinate bench of this court vide order dated 01-05-2019 passed in Cr. Misc. No. 28952 of 2019. There is no compliance of Section 100 of the Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

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 learned Additional Sessions Judge-II-cum-Special Judge, Excise, Buxar in connection with Brahmpur P.S. Case No. 48 of 2019.

(Sudhir Singh, J)

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