

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34680 of 2019**

Arising Out of PS. Case No.-283 Year-2018 Thana- BARHIYA District- Lakhisarai

RAKESH KUMAR @ CHHOTU KUMAR S/o Late Sitaram Singh @ Budha
Singh R/o village- Khutha Dih, P.S.- Barhiya, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Bishweshwar Ram

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

2 28-05-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 17-12-2018 in a case registered for the offences punishable under Sections 25(1-B) a, 26 of the Arms Act and Section 37(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the informant being police officer went to investigate in connection with Barhiya Police Station case 282 of 2018 and as soon as he reached at the door of the informant of the said case namely Birendra Kumar, then from the possession of the petitioner, one country made liquor, two live cartridges and one used cartridge were recovered.

It is submitted by learned counsel for the petitioner that the investigation has already concluded and though the petitioner is accused in two other cases, but he is on bail in those



cases.

Learned APP submits that recovery of fire arms were made from the possession of the petitioner.

Considering the fact that investigation has already concluded and the period in custody, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II cum Special Judge, Excise, Lakhisarai in connection with Barhiya P.S. Case No. 283 of 2018.

(Dinesh Kumar Singh, J)

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