

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57719 of 2019**

Arising Out of PS. Case No.-103 Year-2019 Thana- PARAIYA District- Gaya

=====

BIPIN KUMAR (Male), aged about 28 years, Son of Krishna Mistri @
Krishna Sharma, Resident of Village-Naknuppa, P.S.- Sherghati, District-
Gaya.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr.Manish Kumar No. 2, Advocate.
For the Opposite Party : Mr.Md. Iftekhar Mahmood, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 414 of the IPC, 30(a), 30(d) of the
Bihar Prohibition and Excise (Amendment) Act, 2018, 25(1-b)a
and 26 of the Arms Act.

The prosecution story, in brief, is that on 28.07.2019
at about 4.00 A.M. in the morning, during the course of vehicle
checking, the informant and other police officials apprehended
one person with Motorcycle who disclosed that he is doing the
business of liquor and also doing the work of liner. On his



disclosure, one *Tempo* also came. The driver of the *Tempo* fled away but co-accused Pramod Kumar sitting on the *Tempo*, was apprehended with one loaded country made pistol. The informant also recovered 200 Kg. Mahua Flower and 200 liters wine from the said *Tempo*. The informant also recovered two Motorcycles. Bipin Kumar (petitioner) was found sitting on one of the Motorcycles.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 29.07.2019. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. 200 Kg. Mahua Flower and 200 liters wine is said to have been recovered from the *Tempo* in question and one loaded country made pistol is alleged to have been recovered from possession of co-accused Pramod Kumar. There is no compliance of Section 100 Cr. P.C.

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

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 the learned Special



Judge, Excise, Gaya, in connection with Paraiya P.S. Case No.
103 of 2019.

(Sudhir Singh, J)

U.K./-

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

