

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66605 of 2019

Arising Out of PS. Case No.-156 Year-2019 Thana- BAKHARI District- Begusarai

JITENDRA KUMAR Son of Dilip Mahto Resident of Village- Imadpur, P.S.
Bakhari, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and under Section 25 (1-b)a, 26/35 of the Arms Act.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 19.09.2019. Fifteen live cartridges and 134.50 litres wine are alleged to have been recovered from the possession of co-accused Dilip Mahto. The name of the petitioner has been disclosed by the co-accused Dilip Mahto. There is no compliance of Section 100 Cr. P.C.



Learned counsel for the petitioner further submits that similarly situated co-accused have been granted the privilege of bail by coordinate Benches of this Court vide order dated 02.08.2019 in Cr. Misc. No. 46683 of 2019 and order dated 25.09.2019 in Cr. Misc. No. 61100 of 2019.

In the facts and circumstances of the case, let the petitioner, above named, be released 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 Additional Sessions Judge-2nd-cum-Special Judge, Excise Act, Begusarai in connection with Bakhari Police Station Case No. 156 of 2019.

(Anjani Kumar Sharan, J)

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