

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69096 of 2018

Arising Out of PS. Case No.-392 Year-2018 Thana- KADAMKUAN District- Patna

Vishal Kumar @ Anshu Son of Rajendar Prasad Resident of Dariyapur Chai
Tola, P.S. Kadam Kuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak

For the Opposite Party/s : Mr.Sri Dilip Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-01-2019 Heard the learned counsel for the petitioner and
the learned counsel for the State.

The petitioner seeks regular bail in connection
with Kadam Kuan PS case no. 392 of 2018 registered for the
offence punishable under Sections 25(1-b)a, 26 of Arms Act r/w
37(b)(c) of the Bihar Excise & Prohibition Act, 2016.

The allegation is regarding the petitioner having
been found in an inebriated condition and when the police had
searched the person of the petitioner, one pistol along with live
cartridges was recovered.

The learned counsel for the petitioner submits
that the petitioner is innocent and has been falsely implicated in
the present case. As far as the antecedent of the petitioner is
concerned, he is an accused in one other case but has been



granted bail in the said case and apart from the said case and the present one, no other case is pending against the petitioner. Lastly, it is submitted that the petitioner is languishing in custody for more than six months, hence the petitioner has already been punished suitably for the moment.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed 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 Special Judge, Excise Act, Patna in connection with Kadamkuan PS case no. 392 of 2018.

(Mohit Kumar Shah, J)

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