

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79869 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- MAKER District- Saran

Uma Shankar Rai @ Uma Shankar Ray, male, aged 52 years, S/o- Late Yogi Rai, R/o Vill.- Sundarapur, P.S.- Kesharia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshuman Singh, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-12-2019 The petitioner seeks bail in connection with Maker P.S. Case No. 167 of 2019, dated 18.10.2019, instituted for the offences under Sections 399 and 402 of the I.P.C., Section 37(B)(C) of the Bihar Prohibition and Excise Act, 2016 and Section 25(1-B)A, 26 and 35 of the Arms Act.

The petitioner and several others were arrested by the police on a hot chase. The allegation against the arrested accused persons including the petitioner is of having consumed liquor and thereafter of planning to commit *dacoity* in a petrol pump. On seeing the police party, the miscreants boarded a car and motorcycle, but were arrested. Weapons were recovered from the possession of other



accused persons but from the possession of the petitioner,
nothing incriminating has been recovered.

The petitioner is in custody since 19.10.2019 and
does not have any case to his credit before his implication in
the present case.

It has been submitted on behalf of the petitioner
that his arrest in this case is on mistaken identity as he has
no connection with other accused persons.

Considering the period of custody of the petitioner
and his clean background up-till now, he is directed to be
released on bail on his furnishing bail bonds in the sum of
Rs. 10,000/- (Rupees Ten Thousand) with two sureties of
the like amount each to the satisfaction of learned 2nd Addl.
Sessions Judge-Cum-Special Judge, Excise Act, Saran at
Chhapra in connection with Maker P.S. Case No. 167 of
2019.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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