

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11519 of 2020**

Arising Out of PS. Case No.-58 Year-2019 Thana- BITHAN BAZAR District- Samastipur

Chandan Kumar Son of Indredev Ray Resident of Village - Jhakhra, P.S.-  
Alauli, (O.P. Bahadurpur), Distt - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Shyam Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      28-02-2020                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case registered under Sections 399, 402 of the Indian Penal Code, 25(i-b)26 and 35 of the Arms Act as well as Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution case, in short, is that one country-made pistol, six live cartridges is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 07-07-2019. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that one country-made pistol, six live cartridges is recovered. There is no recovery of liquor in the



present case. The petitioner had not consumed liquor. The petitioner has been falsely implicated in the present case. 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.

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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Samastipur in connection with Bithan P.S. Case No. 58 of 2019.

**(Sudhir Singh, J)**

A.K.V.//-

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