

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18623 of 2020**

Arising Out of PS. Case No.-21 Year-2020 Thana- DALSINGHSARAI District- Samastipur

ABHISHEK KUMAR @ ABHISHEK KUMAR CHAUDHARY @ GOLU
Son of Manoj Kumar Chaudhary Resident of Village-Keota @ Kevta Tole,
Piparpanti, Ward no.11, P.S.-Dalsing Sarai, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

6 03-09-2020 Heard the learned counsel for the petitioner and Sri Brajendra Nath Pandey, the learned APP for the State.

The petitioner seeks regular bail in connection with Dalsing Sarai P.S. Case No. 21 of 2020, registered for the offence punishable under Sections 25(1-B) (a), 26 and 35 of the Arms Act and Sections 30(a), 37(C) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of one loaded country made pistol, one live cartridge and two bottles containing 180 ml. each of illicit foreign liquor from the petitioner herein after he was



apprehended by the police.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 27.01.2020. It is further submitted that the petitioner is ready to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of bail.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein, though I deem it fit and proper to direct for release of the petitioner on bail, but subject to certain conditions in view of the fact that the petitioner is stated to be accused in three more cases.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail



bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Seciond cum Special Judge, Excise, Samastipur in connection with Dalsing Sarai P.S. Case No. 21 of 2020.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station at 10:00 am. on each Monday of the week and in the event of two consecutive defaults, the present privilege of the regular bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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