

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24489 of 2020

Arising Out of PS. Case No.-53 Year-2020 Thana- HASANPUR District- Samastipur

MD. PARVEJ Son of Md. Mansur Resident of Ward No. 08, Village- Shasan,
Hasanpur, P.S.- Hasanpur, District- Samastipur, Bihar. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-09-2020 Heard learned counsel for the petitioner and learned
APP for the State through video-conferencing. .

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects, as pointed out by the office, within three
weeks of resumption of physical court proceeding. In the
eventuality of non-removal of defects within undertaken period,
the office will place the matter before the Bench.

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

While the informant along with police force was on
patrolling duty, acting on a tip-off, when the police reached near



the spot, on seeing the police party the petitioner tried to escape away but was caught. On search on loaded country made pistol with two live cartridges is said to have been recovered from his possession and was also found in inebriated condition.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has no concern with the seized liquor. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. He had not consumed liquor. He is a teetotaler. He has no criminal antecedent and has been languishing in custody since 04.03.2020.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge Excise, Samastipur in connection with Hasanpur P.S. Case No. 53 of 2020.

(Anjani Kumar Sharan, J)

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