

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27306 of 2020

Arising Out of PS. Case No.-163 Year-2019 Thana- BACHHWARA District- Begusarai

NAND KUMAR KUNWAR S/o Late Chandra Shekhar Kunwar R/o Village-
Gonu Chak, P.S.- Bachhwara, Dist- Begusarai.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Shubhesh Pandey, Advocate.
For the State : Mr. Sanjay Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 21-12-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application, through Video Conferencing, that he would remove the defect(s), as pointed out by the Stamp Reporter, flagged at 'S', within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Bachhwara P.S. Case No.163 of 2019 registered under Sections 25(1-B)a, 26 and 35 of the Arms Act besides Section 30(a) of the Bihar Excise and Prohibition Act, 2016.

The accusation is of recovery of one country made pistol and two empty cartridges from the house of the petitioner as also the



recovery of 649 bottles, each containing 180 ml., and 58 bottles, each containing 750 ml., of Indian Made Foreign Liquor from the straw house of the petitioner.

Learned counsel appearing on behalf of the petitioner submits that, earlier, the petitioner had filed Criminal Misc. No.72609 of 2019 for grant of bail, which was dismissed as withdrawn on 18.12.2019, with a liberty to file a similar application afresh in accordance with law after six months. The petitioner is in custody since 23.08.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released 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 the Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai, in connection with Bachhwara P.S. case No.163 of 2019. Out of the two sureties, one must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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