

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27557 of 2020

Arising Out of PS. Case No.-34 Year-2020 Thana- BRAHMPURA District- Muzaffarpur

WALI ALAM Son of Shekh Idrish Resident of Village - Madhuban, P.S.-
Madhuban, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shamimul Hoda, Adv.

For the Opposite Party/s : Mr.H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-10-
2020

Heard learned counsel for the petitioner and learned

APP for the State through virtual court proceedings.

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 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 Sections 25(1-b)A, 25(1-b)AA, 25(1-
b)AAA, 25(1-b)a, 26 and 35 of the Arms Act and 30(a) , 41 of
the Bihar Excise and Prohibition Act.

Prosecution case as lodged by the police personnel is



that on secret informant that some persons are assembled for selling cartridges, he along with patrolling parties reached near place of occurrence and arrested 5 accused persons including the petitioner. On search, 100 pieces of live cartridges and one mobile were recovered from the accused persons including the petitioner.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner and he has been falsely implicated in this case. He submits that similarly situated person has been granted bail by this Court in Cr. Misc. No. 20094 of 2020. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 05.02.2020.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail **after 08.11.2020** on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur in connection with Brahmpura P.S. Case No. 34 of 2020.

(Anjani Kumar Sharan, J)

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