

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28743 of 2020

Arising Out of PS. Case No.-137 Year-2020 Thana- ALAMGANJ District- Patna

SURAJ KUMAR Son of Late Ashok Kumar Kewat, Resident of Mohalla Dadar Mandi Naya Tola, P.S.- Alamganj District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr. Abhay Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Abhay Kumar No.1, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Special Case No. 1808 of 2020 arising out of Alamganj P.S. Case No. 137 of 2020 for the offence punishable under Section 37(c) of the Bihar Prohibition and Excise Amendment Act, 2016 and 25(1-b) a/26/36 of the Arms Act.

The allegation is regarding the petitioner and other persons having been intercepted by the police, whereupon it transpired that they were in inebriated condition and as far as the petitioner is concerned, upon search, one country made pistol was



recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 23.02.2020.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the period of incarceration of the petitioner herein as also the fact that he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Patna in connection with Special Case No. 1808 of 2020 arising out of Alamganj P.S. Case No. 137 of 2020.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

