

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29861 of 2020

Arising Out of PS. Case No.-12 Year-2020 Thana- GAYA KOTWALI District- Gaya

JITENDRA KUMAR @ FANTOOS Son of Late Shyam Prasad Resident of
Mohalla - New Area Piparpati, P.S. - Kotwali, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad

For the Opposite Party/s : Mr.Shyam Kr. Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-11-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 323, 341, 448 of I.P.C. and Sections
25(1-b)A/26/27/35 of the Arms Act and Sections 30(a), 37(11)
of Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that one loaded country



made pistol with a live cartridge and 1.500 liters wine are recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.01.2020. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that one loaded country made pistol with a live cartridge and 1.500 liters wine is recovered from the joint house of the petitioner where other family members also reside. The petitioner is said to be found in drunken state. There is no compliance of Section 100 of Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise Act), Gaya in connection with Kotwali P.S. case No.12 of 2020.

(Sudhir Singh, J)

Narendra/-

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