

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM THE CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23666 of 2021**

Arising Out of PS. Case No.-95 Year-2020 Thana- MUZFFARPUR GRP CASE District-
Muzaffarpur

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GYANESHWAR PRASAD @ GYANESHWAR PASWAN Son of Late
Ramnath Prasad Resident of Village - Benipur, P.S.- Salempur, District -
Devriya, Presently posted in the Sonpur at the post of RPF.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra,Advocate
For the Opposite Party/s : Ms.Renuka Ratnakar,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 20-09-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms.

Renuka Ratnakar, learned APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Rail Muzaffarpur P.S. Case No. 95 of

2020 registered for the offences punishable under Section 30(a)

of Bihar Excise Act and Section 25(1-b) of Arms Act.

Learned counsel for the petitioner submits that the

allegation against the petitioner is that from his possession 5

liters of English wine, one steel knife, one charger and two live

cartridges, two used cartridges and one Samsung mobile have

been recovered.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has no concern with the allegedly recovered articles. The petitioner is in custody since 01.01.2021 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be serving in Railway Police Force and allegedly from his possession 5 liters approximately of English wine, one steel knife, one charger and two live cartridges, two used cartridges and one Samsung mobile have been seized, in view of his custody since 01.01.2021 and that he has got no criminal antecedent, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Rail Muzaffarpur P.S. Case No. 95 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.