

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36485 of 2021

Arising Out of PS. Case No.-883 Year-2019 Thana- KANTI District- Muzaffarpur

SHAMBHU RAY @ SHAMBHU ROY Son of Nandkishor Ray @ Tunna
Ray Resident of Village - Dhebvah @ Dhemba, P.S. - Kanti, District -
Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection Kanti P.S. Case no.
883 of 2019 registered for the offence punishable under sections
272, 273, 399, 402 of the Indian Penal Code, sections 25(1-b)a,
26, 27, 37 of the Arms Act read with section 30(a) of Bihar
Prohibition and Excise Act.

Learned counsel for the petitioner submits that from
perusal of the allegation as alleged in the FIR, it would manifest
that one country made revolver, 375 ml, foreign liquor and 10
liter spirit was recovered from Tata Tiger which was without
registration number, further from Hundai car 20 liter spirit was
recovered. He further submits that petitioner was not



apprehended at the spot rather his name was disclosed by the accused who was apprehended by the police. Learned counsel next submits that name of this petitioner has come on the confessional statement of co-accused.

Learned APP opposes the prayer for bail and submits that petitioner has antecedent of three cases relating to Excise Act.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in those cases because of his antecedents, he has been implicated in the present case also.

Considering the facts that petitioner is in jail custody and charge sheet has been submitted and he was not apprehended at the spot, petitioner is directed to be released on bail on furnishing bail bonds of Rs 5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of the Special Judge (Excise), Muzaffarpur in Kanti P.S. Case no. 883 of 2019.

(Satyavrat Verma, J)

s.hassan/-

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