

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38094 of 2021

Arising Out of PS. Case No.-110 Year-2021 Thana- ARA NAGAR District- Bhojpur

MD LAKKI S/o Md. Mustak Resident of Muhalla- Abarpul, P.S.- Ara Nagar,
Dist- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Ara Nagar P.S. Case No. 110 of 2021 (Excise Case No. 264 of 2021), registered for the offence punishable under Section 37(C) of the Bihar Prohibition and Excise Act, 2018 and sections 25(1-b)a, 26 of the Arms Act.

As per the prosecution case, this petitioner was arrested in drunken condition with one loaded country made pistol and one empty cartridge.

It is submitted on behalf of the petitioner that nothing has been recovered from conscious possession of this petitioner. In fact, police demanded illegal gratification which was denied by the petitioner due to which this false case has been lodged.



Petitioner is having clean antecedent and he is in custody since 04.02.2021.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Additional District & Sessions Judge-cum-Special Judge Excise, Bhojpur at Ara in connection with Ara Nagar P.S. Case No. 110 of 2021 (Excise Case No. 264 of 2021), subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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