

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39798 of 2021

Arising Out of PS. Case No.-74 Year-2021 Thana- BARAUNI District- Begusarai

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Aayush Kumar @ Vikky Kumar Son of Dablu Singh @ Sukesh Kumar Singh
Resident of Village - Keel, P.S.- Barauni (Gadhara O.P.), Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-10-2021 Heard both parties.

The petitioner seeks bail in Barauni (Gadhara OP)

P.S. Case No. 74 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 and 35 of the Arms Act.

As per the prosecution case, petitioner was
apprehended in drunken state and on search, one country made
pistol was recovered from his possession.

It is submitted on behalf of the petitioner that nothing
has been recovered from conscious possession of this petitioner
and he has been falsely implicated in this case at the instance of
police, as the petitioner refused to give extortion money.
Petitioner is having clean antecedent and he is in custody since
18.02.2021. Investigation is complete.



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 Additional Sessions Judge-II-cum-Special Judge (Excise Act), Begusarai in connection with Barauni (Gadhara OP) P.S. Case No. 74 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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