

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39353 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- RAJIVNAGAR District- Patna

Shambhu Kumar S/o Jitendra Mahto R/o Village- Chhoti Pahadi, P.S.-
Sampatchak, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-11-2021 Heard Ms. Rina Sinha, learned counsel for the

petitioner and Shri Satya Nand Shukla, learned A.P.P. for the

State.

The petitioner is seeking anticipatory bail in connection with Rajeev Nagar P.S. Case No. 44 of 2020 instituted for the offences under Sections 25(1-b)a/26 and 35 of the Arms Act read with Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent. Further learned counsel submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that on the date of occurrence the petitioner was getting married as such it is not possible that the petitioner would have kept the liquor and the



arms in the car. Learned counsel further submits that may be it were the friends of the petitioner who had come to attend the marriage and were happy and thus may have brought liquor and arms for happy firing. It is submitted that since the petitioner was getting married and the car belonged to him, his name transpired in the present case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case in it's totality, and that the petitioner was getting married on the date of occurrence, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of ten weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Rajeev Nagar P.S. Case No. 44 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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