

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8352 of 2021

Arising Out of PS. Case No.-731 Year-2020 Thana- MADHEPURA District- Madhepura

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DEEPAK KUMAR SON OF AJAY YADAV Resident of Village - Birkhi
Navtoliya, ward no.21, P.S.- Madhepura, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Madhepura P.S. Case no. 731 of 2020 registered under sections 25(1-B)(a), 26 and 35 of the Arms Act and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., the petitioner who made an attempt to escape was chased and caught. On search, a country-made pistol with four live cartridges loaded was recovered from his possession. Further, a total of 147.75 liters of IMFL was recovered from his vehicle.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession or from the vehicle in question. The petitioner is in custody since 26.9.2020 and investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State.

As per the report received from the Superintendent of Police, Madhepura with respect to the antecedent of the petitioner, besides the cases mentioned, the petitioner is also an accused in Madhepura P.S. Case no. 661 of 2018, Madhepura P.S. Case no. 348 of 2020 and Madhepura P.S. Case no. 731 of 2020, the last being also under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and in view of the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after six months.

(Partha Sarthy, J)

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