

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3260 of 2022

Arising Out of PS. Case No.-190 Year-2021 Thana- DULHIN BAZAR District- Patna

GAUTAM KUMAR Son of Bal Mukund Sharma Resident of Village -
Bharbhesar, P.S.- Paliganj, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-05-2022 Heard Mr. Ajay Kumar Sinha, learned counsel for the
petitioner and Mr. Md. Aslam Ansari, Additional Public
Prosecutor for the State.

Learned counsel for the petitioner is permitted to
make certain corrections in the prayer portion regarding Dulhin
Bazar PS Case No.

Petitioner seeks regular bail in connection with
Special Case No. 5888/2021 arising out of Dulhin Bazar PS
Case No. 190/2021 registered for the offence punishable under
Sections 25(1-b) a, 26, 35 of the Arms Act and Section 37 (b)
(c) of Bihar Prohibition & Excise Act, 2018.

The police intercepted a scooty and arrested the
petitioner along with another co-accused person, Birbal Kumar
in a drunken condition and from the dicky of the scooty one
country made pistol has been recovered.



Learned counsel for the petitioner submits that the said scooty does not belong to the petitioner and he was not aware about the pistol being kept in the dickey of the scooty. He next submits that the scooty belongs to the co-accused, Birbal Kumar who was also arrested along with the petitioner. The petitioner is in custody since 20.09.2021.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner having no criminal antecedent is in custody since 20.09.2021 and he is not the owner of the scooty wherefrom recovery of a pistol has been made, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, GAUTAM KUMAR be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-Excise Act, Patna in connection with Special Case No. 5888/2021 arising out of Dulhin Bazar PS Case No. 190/2021.

(Anil Kumar Sinha, J)

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