

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4586 of 2022

Arising Out of PS. Case No.-137 Year-2021 Thana- FULKAHA District- Araria

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PRAKASH KUMAR SAHNI Son of Bilash Prasad Mukhiya Resident of
Village - Simrahi, P.S. - Raghapur, Dist. - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Fulkaha
P.S. Case No. 137 of 2021 instituted for the offences under
Sections 30(a) and 41(1) of the Bihar Excise Act read with
Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 19.08.2021, charge-sheet has been
submitted in the case and has antecedent of two cases.

Learned counsel for the petitioner submits that the
allegation is of recovery of 210 litres of liquor, one revolver and
a country-made pistol from a four-wheeler vehicle.

Learned counsel for the petitioner submits that the
petitioner was the driver of the vehicle from which liquor,



revolver and a country-made pistol were recovered and as such was not knowing what was kept in the car by the owner of the vehicle. It is submitted that the alleged recovery was not from the conscious possession of the petitioner.

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

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Fulkaha P.S. Case No. 137 of 2021.

(Satyavrat Verma, J)

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