

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41907 of 2021

Arising Out of PS. Case No.-31 Year-2019 Thana- MORO District- Darbhanga

Jai Prakash Choudhary @ J.P., Son of Jitendra Choudhary @ Jitendra Kumar Choudhary, Resident of Village - Patori, P.S.- Moro, Distt.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Pushkar Narayan Shahi, Senior Advocate
		Mr. Vinay Mistry, Advocate
For the Opposite Party/s :		Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-04-2022 Registry has pointed out defect in the present application.

Learned senior counsel for the petitioner undertakes to remove the defect within two weeks.

In view of the undertaking given by the petitioner, the matter is taken up for consideration.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner has renewed his prayer for bail in connection with Moro P.S. Case No.31 of 2019 registered under Section 420 of the Indian Penal Code, Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Sections 25(1-B)a, 26 and 35 of the Arms Act.

According to the prosecution case, one country-



made pistol and three live cartridges are said to have been recovered from the possession of the petitioner. He was also found present in a car in which 175.185 liters of illicit liquor was concealed.

Mr. Shahi, learned senior counsel for the petitioner submitted that in this case cognizance was taken on 16.05.2020 after submission of the charge-sheet and since then, there is no progress in the case. Neither the charges have been framed nor any witness has been examined so far.

Learned counsel for the State opposed the prayer for bail.

Considering the nature of the offence, the allegations made against the petitioner and the period undergone by him as an under-trial prisoner, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge (Excise), Darbhanga in connection with Moro P.S. Case No. 31 of 2019.

(Ashwani Kumar Singh, J.)

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