

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15079 of 2022

Arising Out of PS. Case No.-242 Year-2021 Thana- KHARIK District- Bhagalpur

Sanjeet Kumar, Son of Bilas Mandal, Resident of Village - Khairpur,
Usmanpur, P.S.- Kharik, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Special Excise Case No. 1198 of 2021 arising out of Kharik P.S. Case No. 242 of 2021 registered for the alleged offences under Sections 25(1-b)a, 26 and 35 of the Arms Act and Section 30(a), of the Bihar Prohibition and Excise Act, 2018.

Allegedly, from the petitioner, a loaded country made pistol with one live cartridge was recovered.

The learned counsel for the petitioner submits that



nothing has been recovered from his conscious possession. He has been falsely implicated in this case at the instance of co-accused Khusi Mandal. This petitioner has got no concern with the co-accused. There is no recovery of any liquor from the possession of this petitioner and the same has been recovered from the house of co-accused. The charge-sheet has been submitted in this case and the petitioner is in custody since 22.10.2021.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that charge sheet has been submitted and further considering the period of custody of the petitioner, the petitioner above named is directed to 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 1st, Bhagalpur, in connection with Special Excise Case No. 1198 of 2021 arising out of Kharik P.S. Case No. 242 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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