

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25139 of 2022

Arising Out of PS. Case No.-79 Year-2022 Thana- SARAIYA District- Muzaffarpur

AKHILESH KUMAR S/o- Sikandar Paswan Resident of Village - Basra
Sukul, P.S.- Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-08-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 272 and 273
read with 34 of the Indian Penal Code, 30A of the Bihar
Prohibition & Excise Act u/s 20, 22 of the N.D.P.S Act and 25
(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, on seeing the police five
miscreants boarded on a Swift Dzire car tried to flee away but
they were apprehended by the police and they also disclosed
their names as Pintu Kumar, Vikash Kumar, Virendra Paswan,
Akhilesh Kumar and Raj Kishore and from the search of Vikash



Kumar a loaded country-made pistol was recovered. 40 litres illicit sprit, 9 litres of foreign liquor and 1 kg *ganja* were also recovered from the dickey of the said car.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on mere suspicion. Nothing has been recovered from the conscious possession of the petitioner. 1 kg *ganja* was recovered from the said car which is small quantity. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.02.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 learned Special Judge, Excise Court No. 2, Muzaffarpur, in connection with Saraiya P.S. Case No. 79 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

