

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31149 of 2022**

Arising Out of PS. Case No.-313 Year-2022 Thana- BARHARA District- Bhojpur

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Bikarant Kumar @ Vikrant Kumar S/o Harelal Singh Resident of Village -
Anand Nagar, P.S. - Ara Nagar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Barhara
(Krishanagarh) P.S. Case No. 313 of 2022 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 04.05.2022.



The allegation against the petitioner is to have in possession of 500 ml country made liquor alongwith one country made pistol and three live cartridges.

Learned counsel appearing on behalf of the petitioner submitted that implication of the petitioner in the present case is due to oblique motive, founded over local issues. It is submitted that the seizure list is not supported by the independent witnesses, which appears to be in violation of Section 100(4) of the Cr.P.C. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that seizure list is not supported by independent witnesses.

In view of the facts and circumstances, as mentioned above, as seizure list is disputed coupled with the fact that petitioner is a man of clean antecedent, where chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Barhara (Krishanagarh) P.S. Case No. 313 of 2022 on furnishing bail



bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Bhojpur at Ara/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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