

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47995 of 2022

Arising Out of PS. Case No.-207 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

Chhotay @ Chhotu Kumar, Son of Indradeo Singh, R/o Vill.- Khamhar, P.S.-
Begusarai Muffasil, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Begusarai Muffasil P.S. Case No. 207 of 2022
registered for the alleged offences under Sections 25(1-B)a, 26
and 27 of the Arms Act and Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

As per prosecution case, recovery of a loaded country
made pistol and a bottle of 375 ml India made foreign liquor
were made from the petitioner.

The learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from his conscious possession. The allegations against the petitioner are false and concocted. The petitioner is in custody since 26.04.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner is accused in two more cases.

Having regard to the submissions made hereinabove and considering his period of custody and the submission of charge-sheet, 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 Exclusive Excise Judge-I, Begusarai in connection with Begusarai Muffasil P.S. Case No. 207 of 2022, subject to the condition mentioned in Section 437(3) of the Cr.P.C. and other the following conditions:

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each



and every date fixed by the court below.

(iv) In case of absence on 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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