

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69460 of 2021**

Arising Out of PS. Case No.-131 Year-2021 Thana- BITHAN BAZAR District- Samastipur

Niraj Kumar Mahto Son of Late Upendra Mahto Resident of Village- Telani,
Police Station- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Dinesh Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 14-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bithan P.S. Case No. 131 of 2021 registered for the offence under Sections 272, 273, 34 of the I.P.C., Sections 25(1-B)a, 26, 35 of the Arms Act and Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, 907 liters & 500 ml. of illicit foreign liquor, one loaded country-made pistol and four live cartridges of 0.315 bore have been recovered from the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner. Petitioner is in custody since 12.09.2021. Chargesheet has already been submitted.



Learned A.P.P. for the State has opposed the bail petition and submitted that huge quantity of illicit foreign liquor as well as one country-made pistol & live cartridges have been recovered from the house of the petitioner and petitioner has got criminal antecedent also.

Considering the aforesaid facts & circumstances, the bail application of petitioner is rejected. However, once charge is framed and trial commences, the petitioner shall be released on bail by the learned trial court on the condition that he will cooperate in disposal of trial and appear before the trial court, as and when required.

(Prabhat Kumar Singh, J)

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