

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70920 of 2021

Arising Out of PS. Case No.-251 Year-2021 Thana- BAJPATTI District- Sitamarhi

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PRAVIN KUMAR S/o Shatrudhan Mahto Resident of Village - Kachharipur
Koriyahi, P.S. - Bajpatti, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Bajpatti P.S. Case No. 251 of 2021 instituted for the offences
under Sections 25(1-b)a, 26 of the Arms Act read with Section
30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 18.08.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of 4 bottle of liquor along
with a country made pistol from the possession of the petitioner.

Learned counsel for the petitioner submits that the
police now has devised the new way of implicating innocent



person by falsely showing recovery of liquor along with arms. Learned counsel further submits that nothing was recovered from the possession of the petitioner and since the petitioner was not willing to grease the palm of the police, as such, he came to be implicated under the Excise and the Arms Act when he is a person with clean antecedent.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi in connection with Bajpatti P.S. Case No. 251 of 2021.

(Satyavrat Verma, J)

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