

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62816 of 2022

Arising Out of PS. Case No.-108 Year-2022 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

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Bhaskar Kumar Son Of Bhola Rai @ Bhola Ray @ Suresh Yadav R/O
Village- Panchwati Chowk, Ward No.18, P.S., P.O. And District- Saharsa,
Presently R/O Sujawalpur, P.S.- Sakara, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Amit Narayan, Advocate
For the State : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State

through virtual Court proceedings.

The petitioner seeks bail in connection with Samastipur
P.S. Case No.108 of 2022 registered for the offence under
Sections 25(1-b)a and 26(ii) of Arms Act and Section 30(a) of
the Bihar Prohibition and Excise(Amendment) Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 05.07.2022.



The allegation against the petitioner is to have in possession of 8 live cartridges alongwith, 4.5 liters of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner of submitted that the alleged recovery of illicit liquor and cartridges were not made from the conscious physical possession of the petitioner, who is a man of clean antecedent. It is also submitted that no ballistic/expert report is available to confirm that whether the cartridges were live or not. While concluding the argument, it is submitted that petitioner is a man of clean antecedent moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as by taking note of accusations, where petitioner is in custody since 05.07.2022 coupled with the fact that chargesheet has been submitted, let above named petitioner directed to be released on bail in connection with Samastipur P.S. Case No.108 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 Special Judge, Excise Court No.II,
Samastipur/concerned court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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