

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6392 of 2023

Arising Out of PS. Case No.-401 Year-2022 Thana- BYPASS District- Patna

Aryan @ Rajesh Kumar S/O Late Vijay Prasad Resident Of Village- Zero Miles Panchwati Mandir P.S.- Agamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner prayed for regular bail in connection with Bypass P.S. Case no. 401 of 2022 instituted for the offence under Sections 25(1-b)A/26 of Arms Act and Section 30(a) of the Bihar Prohibition and Excise Amendment Act(2022).

Prosecution case relates to recovery of 200 liters country made liquor, which was recovered from a motorcycle bearing Reg. No. BR01EF-3269 after that this case has been lodged against the petitioner. It is further alleged that two live cartridges were also recovered from his possession.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to previous criminal antecedent. Petitioner has no concern with the alleged recovery or with the place of occurrence. No any incriminating article has been recovered from his possession. Vehicle which was seized in this case belongs to Mausi of this petitioner. It is further submitted that seizure list has not been prepared as per Cr.P.C. The petitioner is languishing in judicial custody since 20.09.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

The petitioner is directed to deposit a sum of Rs 20,000/- (Twenty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bypass P.S. Case No. 401 of 2022 on



furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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