

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21419 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- PATORI District- Samastipur

SHAMBHU DAS S/O Munarik Ray @ Munarik Das R/O Village- Sarsawa,
P.S- Patori (Mohanpur O.P), Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Patori (Mohanpur O.P.) P.S. Case No. 45 of 2023, dated
20.01.2023 registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act and Sections 25(1-
b)a, 26 of the Arms Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of a
country-made gun and 10 litres of *illicit country-made wine* and
both the articles are alleged to have been recovered from the
house of the petitioner but in fact the said articles were not
recovered from the conscious possession of the petitioner and in
the seizure list there is no detail regarding the bore of the



alleged seized firearm and there is also no report of Ballistic Expert, so there is no material to show the alleged weapon being arms or not. Further submissions are that the petitioner has been languishing in jail since 21.01.2023 having fair and clean antecedent and against him the investigation has been completed.

4. Learned APP appearing for the State opposes the prayer for bail.

5. Considering the above submissions and mainly petitioner's fair and clean antecedent, his custody period and the completion of investigation against him, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Patori (Mohanpur O.P.) P.S. Case No. 45 of 2023.

(Shailendra Singh, J.)

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