

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34821 of 2023

Arising Out of PS. Case No.-289 Year-2022 Thana- NAUGACHIA District- Bhagalpur

PAWAN SINGH SON OF JAGAN SINGH RESIDENT OF VILLAGE-
MAKKHATAKIA MILKI, PS- NAUGACHIA, DISTT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Nath Singh

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in connection with Naugachia P.S. Case No. 289 of 2022 dated 22.09.2022 registered for the offences punishable under Sections 37 (b)/ 37 (c) of the Bihar Prohibition and Excise Act 2016 and u/s 25 (1-B) a/26 of the Arms Act.

As per the prosecution case, two country made pistols were recovered from the house of the petitioner and he was found in an intoxicated condition during search by the police.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from the house, but the prosecution has not disclosed the name of the owner of the said house. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.09.2022.

Learned APP for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Exclusive Excise Court-2, Bhagalpur in connection with Naugachia P.S. Case No. 289 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/
Kaushik/-

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