

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63438 of 2023**

Arising Out of PS. Case No.-157 Year-2023 Thana- KADWA District- Katihar

Dilwar @ Dilbar @ Md. Dilwar, Son of Md. Muddus, Resident of Village -  
Chauni, P.S. - Kadwa, District – Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      10-10-2023      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in a case instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 and Sections 25(1-b) a, 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that 700 ml foreign liquor and one country made loaded pistol are said to have been recovered from Maruti 800.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.07.2023 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been



implicated in the present case. It is alleged that 700 ml foreign liquor and one country made loaded pistol are said to have been recovered from the car. The petitioner is alleged to be the passenger of the car in question. He had no knowledge regarding the nature of goods being kept in the car. There is no compliance of Section 100 CrPC.

5. On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

6. Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below/court concerned in connection with Kadwa P.S. Case No. 157 of 2023.

**(Sudhir Singh, J)**

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