

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3664 of 2023

Arising Out of PS. Case No.-214 Year-2022 Thana- PATLIPUTRA District- Patna

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Karmu Rai Son Of Late Raghunath Rai @ Ram Nath Rai Resident Of
Mohalla- Manipura Milki Pakar Tal, P.S.- Patliputra, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak

For the Opposite Party/s : Mr.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 37(b) (c) of Bihar Excise Prohibition Act, 2016 r/w 25(1-b)a, 26 of the Arms Act.

As per prosecution case, informant alleged that he along with police party apprehended this petitioner and recovered one country made pistol loaded with one life cartridge from his possession.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous criminal antecedent. Not a single independent eye witness has supported



the prosecution version and seizure list has been prepared in the presence of police party, which does not follow Section 100(iii) of the Cr.P.C. It is further submitted that the petitioner is languishing in judicial custody since 18.04.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Patliputra P.S. Case No. 214 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 Act, Patna.

(Sunil Kumar Panwar, J)

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