

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80858 of 2023

Arising Out of PS. Case No.-527 Year-2023 Thana- KAHALGAON District- Bhagalpur

=====

Dablu Tiwari @AJEET Kumar Tiwari @ Ajeet Tiwari S/O Ashok Tiwari @
Ashok Kumar Tiwari R/O- Ekchari, Ps. Kahalgaon, Rasalpur, Distt.
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sah
For the Opposite Party/s : Mr.Choubey Jawahar

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 25(1-b)a, 26 of

Arms Act and Section 37 of Bihar Prohibition and Excise

Amendment Act.

It is a case of recovery of one country made

pistol from the possession of the petitioner and the

petitioner was apprehended on spot in drunken state.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case due to high handedness of police. The petitioner has no concern with the alleged recovery. There is no independent witness of the alleged seizure. Nothing incriminating has been recovered from conscious possession of the petitioner. Moreover, he is languishing in judicial custody since 10.05.2023.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail **after framing of charge, if not framed** in connection with Kahalgaon Rasalpur P.S. Case No. 527 of 2023 on



furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bhagalpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

U		T	
---	--	---	--

