

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8293 of 2024

Arising Out of PS. Case No.-752 Year-2023 Thana- BRAHMPUR District- Buxar

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Ankush Tiwari, aged about 21 years, male S/o Ramaji Tiwari Resident of
Village - Chhotki Nanijor, P.S. - Nanijor Brahampur, District - Buxar, Bihar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate.

For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Brahampur P.S. Case No. 752 of 2023 instituted for the offence

under Sections 25(1-b)a, 26 and 35 of the Arms Act and 30(a) of

the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, total 25.620 litres of

illicit foreign liquor from the motorcycle. It is further alleged

that a country made pistol and three live cartridges also

recovered from the co-accused namely, Jyotish Tiwari.

4. It has been submitted on behalf of the petitioner's

counsel that the petitioner is in custody since 22.12.2023.

Petitioner has no criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that petitioner is not the owner of the said motorcycle. There is no compliance of Section 100 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Brahampur P.S. Case No. 752 of 2023.

(Rudra Prakash Mishra, J)

Nilmani/-

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