

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29324 of 2024**

Arising Out of PS. Case No.-21 Year-2024 Thana- BANGARA District- Samastipur

Abhishek Kumar @ Golu, Male, aged about 20 years, Son of Ashok Singh  
Resident of Village- Kothiya Ward No. 6, P.S.- Bangara, District- Samastipur.  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rohit Raj, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

2      18-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Bangara P.S. Case No. 21 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 and Sections 25 (1-B) (a), 26 and 35 of the Arms Act, 1959.

3. As per the prosecution case, one desi katta and one live cartridge from the left waist and one toy pistol from the right waist has been recovered from the possession of the petitioner. On further search of the house of the petitioner the informant has also got one plastic bag filled with total 3.24 liters of Indian Made Foreign Liquor.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence and has falsely been implicated in this case merely on the basis of suspicion. Petitioner has no knowledge about the recovery of illegal liquor from a plastic bag and the arms. The name of the petitioner has also been made by the informant. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 16.02.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order dated 20.03.2024 passed by the learned Exclusive Special Judge Excise-I, Samastipur, it appears that the illegal liquor have been recovered from the plastic bag which is behind the house of the petitioner. One desi katta and one live cartridge from the left waist and one toy pistol from the right waist has also been recovered from the possession of the petitioner.

7. Considering the facts and circumstances of the case, seriousness of offence, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby rejected.

9. However, the trial Court is directed to conclude the trial preferably within a period of six months from the date of



receipt of this order and the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail before the trial Court.

**(Ramesh Chand Malviya, J)**

Anand Kr.

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

