

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82227 of 2023**

Arising Out of PS. Case No.-549 Year-2023 Thana- BARHARA District- Bhojpur

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SUGRIV BIND SON OF GHURA BIND R/O VILLAGE- GARERIYA, P.S.-  
DOKATI, DIST.- BALIYAN (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Roy

For the Opposite Party/s : Mr.Pradeep Narain Kumar

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

ORAL ORDER

4      26-02-2024                      Heard learned counsel appearing on behalf  
of the parties.

2.              The petitioner seeks bail in connection with  
Barahara (Sinha O.P.) P.S. Case No.549 of 2023 registered for  
the offence under Sections 25(1-b)a, 26 and 35 of the Arms Act  
and Section 30(a) of the Bihar Prohibition and Excise Act.

3.              As per FIR, there is recovery of 38.700 litre  
of illicit liquor and a riffle along with one live cartridges from  
possession of the petitioner.

4.              Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner has falsely been  
implicated in the present case. It is submitted that recovery of  
alleged illicit liquor as well as incriminating article was not



made from conscious physical possession of the petitioner. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 14.09.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. In view of the allegation as made and as there is no proper explanation on behalf of the petitioner as regard to recovery of illicit liquor as well as firearms, which were made from the possession of the petitioner, this Court is not inclined to grant bail to the petitioner, at present.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. However, petitioner shall be at liberty to renew his prayer for bail before trial court after examination of two witnesses.

**(Ramesh Chand Malviya, J)**

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