

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11766 of 2025

Arising Out of PS. Case No.-892 Year-2024 Thana- DIGHA District- Patna

Shyam Babu S/o Late Lal Babu R/o Village- Kothama, P.S- Khagaul, Distt.-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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

ORAL ORDER

2 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Digha
PS Case No. 892 of 2024 instituted for the offences under
Sections 25(1-b)a/26 of the Arms Act and Sectionn 30(a) and 37
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 200 ml
country made liquor, one country made pistol, 1 live cartridges
and 2 misfired cartridges, etc. from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. It is submitted that recovery is made from an open place, which is accessible to one and all. It is further submitted that petitioner is working as security guard and after performing his night duty he was going to his home on foot. The petitioner is in custody since 01.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Digha PS Case No. 892 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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