

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55013 of 2025

Arising Out of PS. Case No.-428 Year-2024 Thana- BACHHWARA District- Begusarai

Shivam Kumar S/o Late Shatrughan Choudhary @ Late Shatrudhan Chaudhary R/o Village - Fateha, Ward no. 02, P.S - Bachhwara, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bachhwara P.S. Case No. 428/2024 dated 22.12.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, a loaded country-made pistol which was tied around the right waist with *gamchha*, .315 bore cartridge and a mobile phone were recovered from the possession of the co-accused, Shubham Kumar, a mobile phone was recovered from the possession of the co-accused, Vivek Choudhary and total 94.14 litres of illicit foreign liquor was recovered from the Blue Omni Maruti car and a motorcycle was also recovered.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by this court *vide* order dated 05.03.2025 passed in Cr. Misc. No. 11198/2025. The petitioner has no concern with the alleged recovery. The petitioner has five antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 24.06.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Bachhwara P.S. Case No. 428/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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