

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60967 of 2024

Arising Out of PS. Case No.-680 Year-2023 Thana- BIHPUR District- Bhagalpur

Chikku Kumar, Male, aged about 19 years, Son of Sanjeet Kumar Roy @
Gulta Roy, Resident of Village - Medva, P.S. - Jhandapur (Bihpur), District-
Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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

ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bihpur (Jhandapur) P.S. Case No. 680 of 2023 instituted for the
offences punishable under Section 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 allegation in the FIR, two country
made pistols, one country made musket, 36 live cartridges, 4
bottles of 352 ml and 01 bottle of 750 ml Indian made foreign
liquor have been recovered from the house of the accused
person.

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. Petitioner has arrested on the spot. Nothing has been recovered from the conscious possession of the petitioner and the recovery is made from the joint house of the petitioner. Mithun Kumar and Chiku Kumar (petitioner) are own brothers. Petitioner has got clean antecedent as stated in para 3 of the bail petition is in custody since 03.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the seizure list, FIR and also perused the impugned order dated 20.07.2024 passed by the learned Exclusive Special Excise Judge-1, Bhagalpur. On the basis of self-statement of Assistant Sub Inspector, Ajit Kumar on 02.11.2023 he along with police force was on patrolling duty had received information that accused/petitioner Chiku Kumar and Mithun Kumar are doing business of illicit liquor and illegal arms from their house,. On such information, the informant along with police force arrive at the house of the accused persons and seized 3 country made katta and 36 live cartridges and 4 bottles of illicit liquor.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties that the



nature of allegation against the petitioner is serious in nature
hence, I am not inclined to grant bail to the petitioner.

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

(Ramesh Chand Malviya, J)

annpurna/-

U		T	
---	--	---	--

