

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28352 of 2015

Arising Out of PS.Case No. -27 Year- 2015 Thana -SAKARPUR District- DARBHANGA

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1. Kula Nand Choudhary S/o Mod Narayan Choudhary

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-07-2015

Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 272, 273, 188, 291 and 34 of the Indian Penal Code and 47a of the Excise Act.

It is alleged that from a house alleged to be taken on rent by petitioner 2072.56 liters foreign liquor, 405.60 liters country made liquor and Rs.945/- cash were recovered. It is further alleged that the recovery was actually made from Durganand Singh and Raju Bhagat, who admitted that they were selling the liquor at the behest of the petitioner and co-accused Gulab Chaudhary.

It is submitted by learned counsel for the petitioner

that the petitioner had a licensee liquor shop but the license was valid till 31.03.2015, hence, that the liquor shop was sealed by the Excise Department and admittedly, the recovery was not made either from the possession of the petitioner nor the area is in possession of the petitioner.

The aforesaid facts constitute good ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Sakatpur P.S. Case No.27 of 2015, pending before the learned Chief Judicial Magistrate, Darbhanga.

With the above observation, this application is, accordingly, disposed off.

Ashwini/-

(Dinesh Kumar Singh, J)

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