

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40913 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
NALANDA (BIHARSHARIFF)

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Chandan Kumar Son of Kailash Choudhary Resident of Village - Bihari
Road Hilsa, P.S. - Hilsa, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 28-10-2016 Heard Sri Rajeev Kumar, learned counsel for the

petitioner and Sri Chandra Bhushan Prasad, learned Additional

Public Prosecutor.

The sole petitioner who is in custody since 13.7.2016
in Case No. 46c2 of 2016 registered for the offence under section
47(A) of the Bihar Excise Amendment Act 2016 has prayed for
grant of bail.

It was submitted by learned counsel for the petitioner
that petitioner is having clean antecedent and only on false
accusation petitioner has been arrested.

Learned Additional Public Prosecutor opposes the
prayer for bail. He submits that that huge quantity of country
made liquor as well as molasses and some machinery which was

required to be used for preparing liquor was recovered and petitioner has been made accused in this case due to the said allegation.

In this case vide order dated 30.9.2016 a report was called for from the court below regarding the stage of the case which has been received and kept at flag 'A'. The report dated 18.10.2016 suggests that now the case is fixed for framing of charge.

Since the case is fixed for framing of charge, at the moment I am not inclined to grant bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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