

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35608 of 2016

Arising Out of PS.Case No. -266 Year- 2015 Thana -MALSALAMI District- PATNA

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Dhiraj Yadav @ Dhiraj Kumar son of Late Suresh Yadav, resident of
village- Chutkiya Bazar P.S.- Malsalami, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-08-2016 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 and 273 of the
Indian Penal Code and 47(A) of the Excise Act.

From the possession of co-accused Jaggu, 60 bottles
each containing 200 ML country made liquor were recovered who
confessed that he used to sale the liquor at the behest of the
petitioner.

It is submitted by the learned counsel for the petitioner
that the recovery has not been made from the petitioner. Though,
the petitioner is accused in two other cases being Malsalami P.S.
Case No. 188 of 2015 registered under Sections 384, 323, 341,
307 and 504 of the IPC and Malsalami P.S. Case No. 255 of 2015

registered under Sections 420 and 290 of the IPC and 11 of the Bangal Gambling Act but in both cases, the petitioner is on bail, statement to that effect has been made in para 3 of the petition.

Considering the fact that recovery has not been made from the possession of the petitioner, it is a case for consideration of regular bail.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Malsalami P.S. Case No. 266 of 2015 pending in the court of learned ACJM, Patna City.

It is expected from the learned court below to dispose of the regular bail application of the petitioner preferably on the same day.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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