

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4286 of 2017

Arising Out of PS.Case No. -353 Year- 2016 Thana -BARHARA District- BHOJPUR

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1. Mohit Kumar Singh Son of Dineshwar Singh Resident of Village-
Lahang Dumariyan , P.S. - Bihiya, District0 Bhojpur(Ara).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-02-2017 The petitioner is in custody since 28.11.2016 in connection with Barahara (Krishna garh) P.S. Case No. 353 of 2016, registered for offences punishable under Section 30 of Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 26 cartoon each cartoon containing 12 pieces of 750 ML indian made foreign liquor.

It has been submitted on behalf of the petitioner that he has been made accused in the present case only on the basis of suspicion and nothing has been recovered from the conscious possession of the petitioner and he has been in judicial custody since 28.11.2016

Heard learned A.P.P. also.

Having heard both side, considering the fact that huge



quantity of foreign liquor has been recovered from the petitioner, I am not inclined to grant the petitioner, the privilege of regular bail, at this stage, it is accordingly rejected.

However petitioner is at liberty to renew his prayer for bail before the Court below itself after completion of six months in judicial custody and if any, such application is filed, the Court below shall consider the same on the merit of the case and also consider the period of detention of the petitioner and shall pass an appropriate order, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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