

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4661 of 2017

Arising Out of PS.Case No. -374 Year- 2016 Thana -GARKHA District- SARAN

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1. Chandra Shekhar Chaudhary @ Shekhar Chaudhary S/o Late Hira Lal Chaudhary, R/o Village-Garkha, P.S.-Garkha, District-Chapra (Saran).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-02-2017 The petitioner is in custody since 18.12.2016 in connection with Garkha P.S. Case No. 374 of 2016, registered for offences punishable under Section 188 of the Indian Penal Code and Section 47 of the Bihar Excise (Amendment) Act.

It has been submitted on behalf of the petitioner that a very small quantity of four litres of mahua liquor has been recovered from the petitioner, for which he is in custody for about two months. It has further been submitted that petitioner is accused in one other case of similar nature of the year 2015, however, he undertakes to abide by any condition imposed on him for grant of regular bail.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that



the petitioner is accused in one other case of similar nature, at this stage, I am not inclined to grant the petitioner, the privilege of regular bail, it is accordingly rejected.

However, considering the nature of offence, the petitioner may renew his prayer of bail after completion of four months in judicial custody, before the court below itself and the court below shall dispose of the application of the petitioner considering the period of detention of the petitioner, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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