

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5786 of 2017

Arising Out of PS.Case No. -661 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Munilal Yadav, son of late Badri Yadav, resident of Village- Basantpur
Fulabaria, P.S. Akbarnagar, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-02-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Kotwali (Barari) P.S.Case No. 661 of 2016 registered for the
offences punishable under Sections 30(a) and 38 of the Excise
Act, 2016.

It has been submitted on behalf of the petitioner that
though there is allegation of seizure of 163 litres of wine but the
petitioner is nowhere related with such seizure as he is a passenger
of the vehicle and he has nothing to do with the aforesaid seizure
and he has remained in custody for three months and has clean
antecedent.

Heard learned APP also.

Having heard both sides and considering the facts



stated in the FIR itself that all three accused persons have boarded the Scorpio vehicle and have brought wine from Deoghar and also considering the fact that a huge quantity of wine has been recovered, I am not inclined to grant bail to the petitioner.

However, petitioner may renew his prayer for bail before the court below after completion of six months period in custody, which will be considered by the court below itself, without being prejudiced by this order keeping in view the period of detention also.

With the above observations, this application is dismissed.

(Vinod Kumar Sinha, J)

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