

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46621 of 2017

Arising Out of PS.Case No. -433 Year- 2016 Thana -BARACHATTI District- GAYA

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1. Raj Kumar Prasad S/o Khoobi Lal Prasad Resident of village-Tajpur,
P.S.- Chawparan, Dist.- Hajaribag

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Mishra

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-10-2017 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State.

The petitioner seeks bail in connection with Barachatti
P.S. Case No. 433/2016, registered for the offences punishable
under Sections 272, 273 of the Indian Penal Code and Sections
30(a), 28(1), 38 and 47 of the Bihar Prohibition of Excise Act.

Earlier the prayer for bail of the petitioner was rejected,
vide order at Annexure-2, as huge quantity of wine was recovered
from his possession and he was arrested on the spot.

Submission of learned counsel for the petitioner is that
now he has remained in custody for more than eleven months. His
economical condition is also not good and there is no chance of
conclusion of trial. He is ready to abide by any condition imposed



upon him by the Hon'ble Court. Further he has got no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances that the petitioner remained in custody for more than eleven months, this application is disposed of with direction to the learned trial court to verify the fact. If charge has not been framed and there is no substantial progress in the trial, the petitioner will be released on bail on satisfaction of the learned trial court.

(Vinod Kumar Sinha, J.)

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