

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35196 of 2017

Arising Out of PS.Case No. -222 Year- 2017 Thana -
BODHGAYA District- GAYA

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Mukesh Choudhary, Son of Late Mathura Choudhary, Resident
of Village- Pachhathi, P.S.- Bodhgaya, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. V.R.Chaudhary

For the Opposite Party/s : Mr.R.B.Roy Raman

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CORAM: HONOURABLE MR. JUSTICE VINOD
KUMAR SINHA
ORAL ORDER

2 04-08-2017

Heard the parties.

The petitioner seeks regular bail in Bodh Gaya
P.S.Case No.222 of 2017 registered for the offence under Section
30(A) of Bihar Prohibition and Excise Act and earlier also he was
an accused in similar type of cases.

Allegation as per the F.I.R. is of recovery of 91.500
liter foreign liquor from a ditch while the accused persons were
trying to conceal the said liquor in a ditch.

Submission of the learned counsel appearing on



behalf of the petitioner is that he has not been arrested at the spot and he is in custody for about 2 ½ months and one of the co-accused who had been arrested at the spot and disclosed the name of the petitioner has been enlarged on bail on vide order dated 6.6.2017 passed in Cr.Misc. no.25143 of 2017. It has further been submitted that in earlier case also he was not named. He was made accused on the basis of disclosure of the name.

Heard the learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner is rejected at this stage.

However, the petitioner may renew his prayer for bail after framing of charge or after completion of the period of five months of the petitioner in custody whichever is earlier.

With the aforesaid observation this application is dismissed.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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