

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37761 of 2017**

Arising Out of PS.Case No. -367 Year- 2017 Thana -BARACHATTI District- GAYA

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1. Raja @ Chandan Kumar Son of Vijay Bahadur Singh @ Dhirendra Singh, R/o Village- Charkaba Maesod, P.S.- Rafiganj, District- Aurangabad.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

For the Opposite Party/s : Mr. Uday Pratap, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      24-08-2017      The petitioner seeks regular bail in connection with Barachatti P.S. Case No. 367 of 2017, registered for offences punishable under Sections 272, 273, 34 and 120(B) of the Indian Penal Code and Section 30(a), 33, 38 and 47 of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 420 litres of spirit.

It has been submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. Moreover the recovered spirit is a raw material and not liquor. Further he has been in judicial custody since 18.06.2017 and other co-accused has already been granted the privilege of bail by a coordinate Bench of this Court vide order dated 08.08.2017 passed in Criminal Miscellaneous No. 37424 of 2017.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation and also that petitioner has no criminal antecedent and has remained in custody for two months and other co-accused has already been granted bail, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Gaya, in connection with Barachatti P.S. Case No. 367 of 2017.

It is made clear that if the petitioner again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

**(Vinod Kumar Sinha, J)**

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