

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9904 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -DEO District- AURANGABAD

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Mukendra Kumar, son of Bachhu Singh, resident of village - Mustafapur,
P.S. Nalanda, District - Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Babita Kumari, Advocate

For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Deo
P.S.Case No. 5 of 2017 registered for the offences punishable
under Section 30A of Bihar Excise Amendment Act, 2016.

It has been submitted on behalf of the petitioner that
the seized articles have been recovered from the vehicle and the
petitioner is neither driver nor in any way concern with the vehicle
and he is in custody since 11.1.2017.

Heard learned APP also, who has opposed the prayer
for bail stating that there is recovery of 550 pouches, containing
200 ml. each, of country made liquor and 24 bottles of foreign
liquor, each containing 375 ml. and the petitioner has been
arrested at the spot.



Having heard both sides and considering the recovery of huge quantity of liquor, I am not inclined to grant bail to the petitioners at this stage. However, petitioner may renew his prayer for bail after completion of six months in custody before the court below itself, who will consider the bail application of the petitioner keeping in view the period of custody and on the basis of materials available on record, without being prejudiced by this order.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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