

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42725 of 2017

Arising Out of PS. Case No.-54 Year-2017 Thana- Barahiya District- Lakhisarai

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Bijay Kumar Son of Raju Mandal @ Rajo Mandal, R/o Mohalla- Khusailal
Tola, Ward No. 14, P.S.- Barhiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumit Kumar Singh

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 15-09-2017 Heard Sri Sumit Kumar Singh, learned counsel for the
petitioner and Sri Bhanu Pratap Singh, learned Addl. Public
Prosecutor.

The sole petitioner, who is in custody since 18-03-2017
in Barhiya P.S. Case No. 54 of 2017 registered for offence
under Sections 272, 273 of the Indian Penal Code and Sections
38(i), 38(ii), 47 of Bihar Prohibition and Excise Act, 2016, has
prayed for grant of bail.

It was submitted by learned counsel for the petitioner
that a raid was conducted in the house of one Shankar Singh and
from where, about 26 liters of Indian make foreign liquor was
recovered and petitioner was apprehended in the house of
Shankar Singh itself. He submits that subsequently the accused,
from whose house recovery was effected i.e. Shankar Singh,



has already been granted bail by this Court, vide order dated 25-08-2017 passed in Cr. Misc. No. 40956 of 2017. He further submits that save and except involvement of the petitioner in the present case, in one another case i.e. Barhiya P.S. Case No. 10 of 2012 in relation to Sections 304 & 34 of the Indian Penal Code he is accused. The petitioner has never been made accused in any case relating to Excise Act.

Considering the nature of accusation, period of custody as well as the fact that one of the co-accused has been granted bail, there is no reason to further detain the petitioner.

Let the petitioner namely Bijay Kumar be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Lakhisarai in connection with Barhiya P.S. Case No. 54 of 2017.

(Rakesh Kumar, J.)

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