

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47786 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Kanhaiya Ji @ Kanhaiya Singh, Son of Mahendra Singh @ Mohan Singh,
Resident of Village- Darveshpura, P.S.- Giriyak, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Opposite Party/s : Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Giriyak
(Katrisarai) P.S. Case No. 28 of 2017 registered for the offences
punishable under Sections 272, 273, 120B of the Indian Penal
Code and 30 & 37 of Bihar Prohibition and Excise Act.

Allegation is of recovery of 177 litres of liquor from
temple near Panchayat Bhawan.

Submission of learned counsel for the petitioner is that he
has falsely been implicated in this case and nothing has been
recovered from his possession and though he has been made
accused in one more case but the same has been lodged after
lodging the present case. Further submission is that he was not
arrested at the spot and he is in custody for more than two months.



Heard learned APP also.

Having heard both sides and in view of the facts and circumstances, this application is disposed of with a direction to the court below that once charge has been framed in this case or petitioner completes five months period in judicial custody, whichever is earlier, the court below will release the petitioner on bail to its own satisfaction, if an application for bail is filed on behalf of petitioner.

(Vinod Kumar Sinha, J)

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