

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5426 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -SARAI District- VAISHALI(HAJIPUR)

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1. MD. ALI ASHRAF KHAN @ ALI ASHRAF KHAN S/o- Late Anish Rahman.
2. Md. Afsar Ali Khan @ Afsar Ali Khan @ Afsar Ali, S/o- Md. Ali Ashraf Khan. Resident of Village- Mohamadabad (Kabilpur), P.S.- Sarai, District- Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Singh, Advocate
For the Opposite Party/s : Mr. Indra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-05-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Sarai P.S.Case No. 105 of 2016 registered for the offences punishable under Section 47 of Bihar Excise (Amendment) Act, 2016.

Allegation against the petitioner is of recovery of 3000 litres of liquor from his possession.

It has been submitted on behalf of the petitioner that petitioner was not present in his house at the time of recovery and now he has remained in custody for about six months. So far other case is concerned, it has been submitted that the same relates to the same occurrence.

Heard learned APP also, who has opposed the prayer



for bail stating that huge quantity of liquor has been recovered from the house of the petitioner.

Having heard both sides and considering the fact that huge quantity of liquor has been recovered from the house of the petitioner, I am not inclined to grant bail to the petitioner.

However, learned trial court is directed to expedite the trial and try to conclude the same within a period of nine months.

This application is dismissed with the above observations.

(Vinod Kumar Sinha, J)

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