

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7138 of 2017**

Arising Out of PS.Case No. -193 Year- 2016 Thana -MUFFASIL District- AURANGABAD

- =====
1. Sushant Kumar Upadhyaya, S/o Lalan Upadhyay,
  2. Raju Kumar Upadhyaya, S/o Jagat Narayan Upadhyay, Both resident of Village- Maudiha, P.S.- Darihar, District- Rohtas.
  3. Madhurendra Pandey, S/o Santosh Pandey, resident of Village- Doman Dihra, P.S.- Agiyaown, District- Bhojpur.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr.Advocate with  
Mr. Mithilesh Kr. Singh, Advocate  
For the Opposite Party/s : Mr. Dinesh Singh, APP

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

2      20-02-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Aurangabad (Muffasil) P.S.Case No. 193 of 2016 registered for the offences punishable under Section 30(A) of the Bihar Excise (Amendment) Act, 2016.

It has been submitted on behalf of the petitioners that nothing has been recovered from the possession of the petitioners, rather recovery has been made from Bolero vehicle, whereas petitioners were boarded in Swift car and petitioners are in custody since 4.12.2016.

Heard learned APP also, who has opposed the prayer



for bail.

Having heard both sides and considering the nature of allegation, I am not inclined to grant bail to the petitioners at this stage. However, they may renew their prayer for bail after completion of six months in custody before the court below itself, which shall be considered by the court below keeping in view the period of detention, without being prejudiced by this order, preferably on the same day, the bail application is filed.

With the aforesaid observations, this application is disposed of.

**(Vinod Kumar Sinha, J)**

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