

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31753 of 2018

Arising Out of PS.Case No. -55 Year- 2018 Thana -MADHUBANI TOWN District- MADHUBANI
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Mangal Chaudhary @ Bharat Chaudhary, Son of Jai Prakash Choudhary,
Resident of Village- Noniya Tole, P.S.- Town Madhubani, District-
Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Anil Kumar Singh 1

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

4 13-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of the Indian Penal
Code, Sections 25(1-b) and 26 of the Arms Act and Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

33 litres of foreign liquor, 345 grams of ganja are
said to have been recovered from the rented room of the petitioner
while one country made pistol and three live cartridges were
recovered from the gumti of the petitioner after opening the same
taking the key from the petitioner and the petitioner was
apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern



with the seized article. He has been falsely implicated in the case at the instance of his enemies. He has no criminal antecedent. He has been languishing in custody since 19.02.2018.

On the other hand, learned APP vehemently opposing the bail petition submitted that 33 litres of foreign liquor, 345 grams of ganja, one country made pistol and three live cartridges were recovered from the conscious physical possession of the petitioner, hence he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within six months from the date of receipt/production of a copy of this order and S.P., Madhubani is directed to ensure the production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.P., Madhubani by fax for needful.

(Prakash Chandra Jaiswal, J)

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