

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51372 of 2018

Arising Out of PS. Case No.-14 Year-2018 Thana- BAISI District- Purnia

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Dip Narayan Yadav, son of Fulena Yadav @ Fulena Rai, resident of village-
Madhopur Hazari, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma, Adv.

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 10-10-2018 Heard Sri Jai Prakash Sharma, learned counsel for the
petitioner and Sri Lalan Kumar, learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since
14.01.2018, has prayed for grant of bail in Special Excise Case
No.48 of 2018, arising out of Baisi P.S. Case No.14 of 2018,
registered for the offence under Sections 273, 467, 468, 471,
420, 120B of the Indian Penal Code and Sections 30(a), 36, 41
of the Bihar Prohibition and Excise Act,2016.

This is second attempt for grant of bail on behalf of
the petitioner. Earlier on 09.05.2018 vide Cr.Misc.No.18915 of
2018, the prayer for bail of the petitioner was rejected
considering the fact that in this case, there was recovery of huge
quantity of Indian Make Foreign liquor. After filing of the
present petition, by order dated 26.09.2018, a report was called



for from the court below regarding stage of the case, which has been received and kept at Flag-A. The report, contained in letter no.343 of 2018 dated 01.10.2018, sent by the learned 2nd Addl. Sessions Judge-cum- Special Judge (Excise Act), Purnea, suggests that the case is still pending for framing of charge. Meaning thereby that till date, charge has not been framed, whereas the petitioner is in custody since 14.01.2018.

Considering the period of custody as well as the fact disclosed in the report that in the case, till date charge has not been framed, let the petitioner, namely, Dip Narayan Yadav 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 3rd Addl. Sessions Judge-cum- Special Judge, Excise Act, Purnea in connection with Special Excise Case no.48 of 2018, arising out of Baisi P.S. Case No.14 of 2018.

(Rakesh Kumar, J.)

nawalkrs/-

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