

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61688 of 2017

Arising Out of PS.Case No. -313 Year- 2016 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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Prabhat Prakash Tiwary, S/o Shiv Shankar Tiwary, Resident of Village -
Tar Mohanpur, P.S. - Giridih, Dist. - Bokaro, presently residing at
Dudhimari, P.S. - Kodarma Distt. - Kodarma, Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-01-2018

Heard learned counsel for the petitioner and the State.

Prayer for bail of the petitioner was earlier rejected by
this Court vide order dated 18.04.2017 passed in Cr. Misc. 12961
of 2017 with direction to the trial Court to expedite the trial.

It has been submitted that petitioner is in custody since
26.12.2016.

The allegation against this petitioner is that he was
driver of the Truck from which 1068.12 litres of foreign liquor
was recovered.

A report has been called for from the court below
which has been received. From the report it appears that even
charge has not been framed in the case against the accused



persons.

In such circumstances, keeping in view the period spent by the petitioner in custody and the charge has not even been framed by the court below, let the petitioner above named, be released 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 **Additional Chief Judicial Magistrate-II, Bihar Sharif, Nalanda, in connection with Rahui Bhagan Bigha P.S. Case No. 313 of 2016** subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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