

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57964 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -KATHAIYA District- MUZAFFARPUR

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1. SUBODH BHAGAT @ SUBODH KUSHWAHA S/o Ramsagar Bhagat
@ Ramsagar Bhagat, R/o Vill.- Baruraj Tole Dakahi, P.S.- Baruraj, District-
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Firoz Raza, Advocate

For the Opposite Party/s : Smt. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-09-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The Petitioner seeks regular bail in connection with
Kathaiya P.S.Case No. 08 of 2018 registered for offences
punishable under Sections 272, 273 of the Indian Penal Code and
30 (A), 32 (II) and 38 (II) of the Bihar Prohibition and Excise Act,
2016.

As per F.I.R. allegation against the petitioner is of
recovery of 87.120 ml. of foreign liquor from the house of co-
accused and the name of the petitioner has been surfaced by the
co-accused.

Submission of the learned counsel for the petitioner is



that the petitioner has not been arrested at the spot and no recovery of liquor has been made from the possession of the petitioner and the petitioner is in custody since 20.07.2018.

Heard learned A.P.P. also who opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances that the petitioner is accused in five cases, as such I am not inclined to grant privilege of bail to the petitioner at this stage, and accordingly this application has been rejected. However, once charge has been framed or he remained in custody for further three months, whichever is earlier, the learned Trial Court shall release the petitioner on its own satisfaction.

With the aforesaid observation, the instant petition is disposed of.

(Vinod Kumar Sinha, J)

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