

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25067 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -NTPC KHAIRA District- AURANGABAD

Rajendra Choudhary, Son of Late Charitar Choudhary, Resident of Village-
Kojrain, Police Station- N.T.P.C., Khaira, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. M.K.Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 13-06-2016

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in N.T.P.C. Khaira P.S.
Case No. 17 of 2016 dated 16.03.2016 instituted under Sections 272
and 273 of the Indian Penal Code and Section 47(A) of the Excise
Act.

The allegation against the petitioner is of manufacturing
country made liquor illegally.

Learned counsel for the petitioner submits that he was
caught only on suspicion as he was present at the spot when the police
made raid. However, it is submitted that recovery has not been made
from his conscious possession or from his house and that he, having
no criminal antecedent, is in custody since 17.03.2016.

Learned A.P.P. opposes the prayer for bail and submits that huge quantity of 150 litres of illegal Mahua liquor was recovered in different pots and the petitioner was constructing a *Bhatti* and on seeing the police party, he tried to run away, but was caught. It is submitted that in view of there being total ban of country made liquor in the State, the policy and object of the State does not permit any person to indulge in such activity and in the present case, there being huge recovery, the petitioner does not deserve bail.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant bail to the petitioner. Accordingly, the application stands dismissed.

However, the court below shall expedite the trial and conclude the same within nine months.

(Ahsanuddin Amanullah, J)

Sujit/Ravi

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