

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49210 of 2017

Arising Out of PS.Case No. -385 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

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Shiv Nath Ray, son of Late Ganesh Ray, Resident of Village- Manikpur,
Police Station- Saraiya, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Saraiya
P.S. Case No. 385 of 2016 registered for the offences punishable
under Sections 272, 273, 420, 120B of the Indian Penal Code and
30(a), 38 & 41 of Bihar Prohibition and Excise Act.

Allegation as per FIR is of recovery of 4338 litres of
liquor from the truck and it appears that petitioner is not named in
the FIR and later on his name transpires as a person trading in a
syndicate.

Submission of learned counsel for the petitioner is that he
has falsely been implicated in this case and he has enmity with the
person who has disclosed his name and other co-accused has been
granted bail and he is in custody since 9.8.2017.



Heard learned APP also.

Having heard both sides and in view of recovery of huge quantity of liquor, I am not inclined to grant bail to the petitioner at this stage.

However, learned trial court is directed to expedite the trial and try to conclude it within a period of six months by conducting trial on day to day basis. If trial is not concluded within the said period, trial court will release the petitioner on bail to its own satisfaction on the condition that he will co-operate in disposal of trial.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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