

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25743 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -TARAIYA District- SARAN

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1. Nand Kishore Rai Son of Late Shankar Rai, Resident of Village- Usari
Chandpura, P.S.- Taraiya, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-06-2017 The petitioner seeks regular bail in connection with

Taraiya P.S. Case No. 18 of 2017, registered for offences

punishable under Sections 272, 273 and 34 of the Indian Penal

Code and Section 30(a), 38 and 41 of Bihar Excise Act, 2016.

Allegation against the petitioner is of recovery of 400
litres of liquor.

It has been submitted on behalf of the petitioner that

nothing has been recovered from the possession of the petitioner

and petitioner is neither owner nor driver of the vehicle from

which alleged recovery has been made. Petitioner has falsely been

implicated in this case and has been in judicial custody

since 28.02.2017 and so far other criminal antecedents are

concerned, he is on bail in all those cases.



Heard learned A.P.P. also.

Having heard both sides, considering the fact that huge quantity of liquor has been recovered from the vehicle which was parked in front of the house of the petitioner coupled with the fact that petitioner has criminal antecedent as he is accused in three other cases of similar nature, as such, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, rejected.

However, the trial court is directed to expedite the trial and try to conclude it within a period of seven months and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the court below itself.

(Vinod Kumar Sinha, J)

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