

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35637 of 2017

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1. Mahesh Rai @ Bagra, Son of Awadhesh Rai, Resident of Village-Dadpur (Chaknoor), P.S.- Samastipur, (Muffasil), District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-08-2017 The petitioner is in custody since 07.06.2017 in connection with Samastipur (Muffasil) P.S. Case No. 327 of 2017, registered for offences punishable under Section 30, 36, 38, 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 23 liquors of country made liquor.

It has been submitted on behalf of the petitioner that the he has falsely been implicated in this case. In fact, nothing has been recovered from the conscious possession of the petitioner and he has been rotting in custody for more than two months. It has also been submitted that though the petitioner has been made accused in another similar case but in that case also nothing has been recovered from the possession of the petitioner.

Heard learned A.P.P. also.

Having heard both the sides, considering the facts and



circumstances of the case and the criminal antecedent of the petitioner in similar case, at this stage, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of this petitioner is, hereby, rejected.

However, the learned trial court is directed to expedite the trial and try to conclude the same preferable within a period of six months and if the trial is not concluded within the stipulated time and after completion of six months of detention of the petitioner, he may renew his prayer for bail before the trial court and on being so, the trial court considering all aspect of the matter shall release the petitioner on bail.

With the aforesaid direction, this criminal miscellaneous application is dismissed.

(Vinod Kumar Sinha, J)

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