

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17771 of 2017

Arising Out of PS.Case No. -391 Year- 2016 Thana -PATORI District- SAMASTIPUR

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1. Vicky Rai @ Vicky Kumar, Son of Jhuri Rai, Resident of Village-Supaul, P.S.- Patory, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-04-2017 The petitioner is in custody since 27.01.2017 in connection with Patory P.S. Case No. 391 of 2016, registered for offences punishable under Sections 30 and 38 of Bihar Prohibition and Excise Act.

Allegation against the petitioner is of recovery of 236 bottles of foreign liquor from his possession.

It has been submitted on behalf of the petitioner he has falsely been implicated in this case as it would appear from the fact that there is overwriting in the F.I.R. about the quantity of the bottles seized, which suggests that 236 has been made as 164. Further from perusal of seizure list, which is at page 15 and 16 of this application, it appears that only 17 litres of liquor has been recovered from the petitioner. Petitioner has been in custody for



about three months.

Learned counsel for the State opposed the prayer for bail and submitted that petitioner has criminal antecedent as he is accused in a similar type of case as the present one.

Having heard both sides, considering the facts and circumstances of the case as well as the fact that petitioner is also an accused in other case of similar nature as the present one, as such, I am not inclined to release the petitioner on bail. His prayer 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 six 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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