

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54150 of 2017

Arising Out of PS.Case No. -417 Year- 2017 Thana -PHULWARI District- PATNA

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Santosh Kumar, S/o Lalan Singh, Resident of Village- Narayanpur, P.S.-
Naubatpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shambhu Sharan Singh, Advocate.

For the Opposite Party/s : Mr. Parmanand Kumar, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

4 24-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Phulwarisharif (Janipur)
P.S. Case No. 417 of 2017 registered under Sections 30(A)(B)(C),
38(I) and 41(I) of Bihar liquor Prohibition and Excise Act, 2016

432 litres of foreign liquor is said to have been
recovered from the Magic vehicle and three persons including the
petitioner were apprehended along with the aforesaid vehicle.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He happens to be simple
commuter of the said vehicle. He has no criminal antecedent. The
petitioner has been languishing in custody since 08.07.2017.



On the other hand, learned APP opposing the bail petition submitted that huge quantity of foreign liquor has been recovered from the possession of the petitioner, hence he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within five months from the date of receipt/production of a copy of this order.

(Prakash Chandra Jaiswal, J)

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