

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74727 of 2019

Arising Out of PS. Case No.-238 Year-2019 Thana- KISHUNPUR District- Supaul

BHUPENDRA YADAV Son of Khushilal Yadav Resident of Village- Murli,
Ward No.4, P.S.- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of bail in connection with S.T. Excise Case No.813 of 2019 [Kishanpur P.S. Case No. 238 of 2019 (District-Supaul)] registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, the petitioner was arrested, selling liquor, and 1.440 litre of IMFL was recovered.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place from either the person or the possession of the petitioner. The articles recovered were behind a Gumti. The petitioner has no concern with the said articles. He is in custody since 16.10.2019.



The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner was caught red handed selling liquor and he has two earlier cases under the Bihar Prohibition and Excise Act against him, this Court is not inclined to grant bail to the petitioner and as such the petitioner's application for bail is rejected.

However, if so advised, the petitioner may renew his prayer for bail after completing six months of custody.

(Partha Sarthy, J)

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