

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16065 of 2020

Arising Out of PS. Case No.-59 Year-2019 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. Karam Singh @ Karan Singh S/o Chandan Singh R/o village- Sahjad, P.S.-
Ramdas, Distt.- Amritsar (Punjab)
 2. Balwan @ Balwan Singh @ Balman S/o Deep Chandra @ Deepchand R/o
village- Sikandarpur, P.S.- Gohana, District- Sonipat, Haryana

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Virendra Kumar, Advocate

For the Opposite Party : Mr. Mritunjay Kumar Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-05-2020 Heard learned counsel for the petitioners and learned
counsel for the State via video conferencing.

The petitioners have filed the present application under Sections 439 and 440 of the Code of Criminal Procedure for grant of bail in connection with Kusheshwar Asthan P. S. Case No.59 of 2019 registered under Sections 30(a), 38(1), 41(1) and 47 of the Bihar Prohibition and Excise Act, 2016.

This is the second application on behalf of the petitioners for grant of bail. Earlier, their prayer for bail was rejected by a Bench of this Court vide order dated 16.08.2019 passed in Cr. Misc. No. 38038 of 2019.

Learned counsel for the petitioners submitted that there is substantial progress in the case. Charges have not yet



been framed and there is no likelihood of conclusion of trial in near future.

Per contra, learned counsel for the State submitted that the petitioners were apprehended on chase by the police party. He along with others started running away leaving the truck. On search of the truck, 2664 litres of foreign liquor was recovered. The petitioners are said to be the driver and *khalasi* of the truck in question. He has further contended that consumption, manufacture, storage, trade, transportation and sale of liquor are prohibited in the State of Bihar under the Bihar Prohibition and Excise Act, 2016.

Regard being had to the gravity of the offence, I am not inclined to grant bail to the petitioners. Their prayer for grant of bail is rejected.

In case the trial is not concluded within six months from the date of framing of charge, the petitioners would be at liberty to renew their prayer for bail.

(Ashwani Kumar Singh, J)

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