

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.19602 of 2020**

Arising Out of PS. Case No.-19 Year-2020 Thana- HATHUA District- Gopalganj

Indal Sah @ Indal Singh, Son of Mahesh Sah, Resident of Village- Turakpati,
P.S.- Hathua, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 02-09-2020 Learned counsel for the petitioner undertakes to remove all the defects within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Shyam Kumar Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Hathuwa P.S. Case No. 19 of 2020 registered for the offences punishable under Section 30 (a) of Bihar Prohibition and Excise Act 2016 and Sections 467, 468 and 471 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per allegations in the First Information Report when the police personnel intercepted a Bolero vehicle without registration



number, two persons left their vehicle and tried to flee away but they were chased and apprehended by Police. This petitioner is one of the apprehended persons and from the vehicle altogether 1845 bottles of 200 ml country made wine, 432 bottles of 180 ml and 24 bottles of 375 ml and 94 bottles of 180 ml of foreign liquor i.e. total 472.680 liters have been recovered. It is submitted that though the petitioner is having criminal antecedents but he is on bail in those cases and in connection with the present case, he is in custody since 25.02.2020, therefore, his prayer for regular bail may be considered.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the petitioner has got a huge criminal antecedent of eight cases on his head and all cases are of serious nature. Even under the provisions of the Bihar Prohibition and Excise Act he has got criminal history of two cases, hence his prayer for bail by considering the period of custody alone need not be considered.

Having regard to the facts and circumstances of the case, considering the allegations that the petitioner was apprehended on chase by Police when he was trying to flee away after leaving the Bolero vehicle which was without registration number and he has got huge criminal antecedent of



eight cases on his head, this Court is not inclined to grant regular bail to the petitioner at this stage.

Let the trial be expedited. In case the trial is not concluded within a period of nine months after start of normal functioning of the Court, the petitioner may renew his prayer for bail.

This application is dismissed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

