

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74162 of 2019

Arising Out of PS. Case No.-197 Year-2019 Thana- MASHRAK District- Saran

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Suresh Rai Son of Late Jaleshwar Rai, Resident of Village- Bhalua Nakta,
P.S.- Taraiya, District- Saran at Chapra. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Mashrakh P.S. Case No. 197 of 2019 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30, 30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the name of the petitioner has transpired in this case on the basis of the co-accused who was apprehended from the Pick-up Mahindra Bolero van. He disclosed that the country made spirit wine being a total of 2000 liters in quantity belongs to this petitioner and he had to deliver the same to one person at Mashrakh. It is the submission of learned counsel for the petitioner that the illicit liquor has not been recovered from the



possession of this petitioner and the Bolero does not belong to him.

Learned A.P.P. for the State submits that apart from the statement of the driver who disclosed that the illicit liquor belongs to this petitioner, it may be found from Paragraph '3' of the application and the supplementary affidavit that this petitioner is accused in three other cases of similar nature and while being on bail he has been getting involved in the alleged offence. It is his submission that considering the period of custody and the criminal antecedent of similar nature the petitioner does not deserve regular bail at this stage.

Considering the facts and circumstances of the case, particularly the criminal antecedent of the petitioner having three cases of similar nature and the present one being involved while he was on bail and the huge quantity of illicit liquor with which the name of the petitioner has transpired, this Court is not inclined to grant regular bail to this petitioner at this stage.

Petitioner may renew his prayer for regular bail after a reasonable time.

(Rajeev Ranjan Prasad, J)

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