

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83433 of 2019

Arising Out of PS. Case No.-152 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

=====

Nitish Kumar Son of Devendr Pd. Bhagat, Resident of Teliyahat Ward No.16,
P.O. and P.S. Salkhua, District - Saharsa, Bihar.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-01-2020 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 Special (Excise) Case No. 534 of 2019 arising out of P.S. Case No. 152 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. It is further submitted that the main fact of the case is that the real owner of the bag has fled away after seeing police officials and petitioner was arrested only on suspicion. Petitioner has no concern with the alleged illicit liquor and petitioner is in custody since



30.10.2019.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, wherein 103 pieces of 180 ml bottle containing illicit liquor is said to have been recovered from the possession of this petitioner and the Court finds that the petitioner has indulged in similar offence despite being on bail in two other cases of similar nature and presently the petitioner is in custody only since 30.10.2019, at this stage this Court is not inclined to grant regular bail to this petitioner. The prayer is refused.

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

Application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

vats/ved

U		T	
---	--	---	--

