

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13526 of 2021**

Arising Out of PS. Case No.-120 Year-2020 Thana- SASARAM MUFFSIL District- Rohtas

DHANJEE SINGH Son of Late Rama Nand Singh Resident of Village -
Larua, P.S.- Sasaram (M), Dist.- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

4 09-09-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Choubey Jawahar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Sasaram (M) P.S. Case No. 120 of 2020 registered for the offences punishable under Section 30(a) of the Bihar Excise and Prohibition Act, 2018. He is in custody on remand from another case with effect from 09.08.2020.

As per the prosecution story 6,912 litres of illicit liquor has been recovered from the *khaprail* house of this petitioner.

Learned counsel for the petitioner submits that the petitioner has got no concern with the said house and he is/was never residing there. It is submitted that the petitioner has remained in jail for over one year in this case, hence he may be released on bail.

Regarding the two criminal antecedents of similar nature, it submitted that the petitioner is on bail in both the cases.

On the other hand, Mr. Choubey Jawahar, learned A.P.P. for the State submits that it is a case of recovery of huge quantity of liquor from the place belonging to the petitioner and in course of investigation it has also come that on seeing the police party, the petitioner was seen fleeing away from the place of occurrence. Learned A.P.P. has referred the materials present in paras '59', '64', '65', '66', '6', '7' and '8' of the case diary. It is his submission that the fact that the petitioner was named in this case still he did not surrender for a long time and ultimately when he was arrested in connection with another case, then he was taken on remand in the present case shows the conduct of the petitioner.

Considering the facts and circumstances of the case wherein this Court has noticed that although in course of

submission, learned counsel for the petitioner has tried to impress upon this Court that the petitioner has got no concern with the said *khaprail* house but there is no categorical statement in this regard in his petition. A vague statement has been made that petitioner has no concern with the said house, he is/was never residing there. The petitioner has got criminal antecedent of similar nature and the quantity of liquor in this case is 6,912 litre which is a huge quantity, this Court is not inclined to release the petitioner on bail. The prayer for bail is, thus, refused.

Let the trial be expedited.

The learned trial court shall proceed with the case as early as possible and all endeavours be made to conclude the same within a period of one year from the date of communication of this order. If the trial remains unconcluded within this period for no reason attributable to the petitioner, he may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

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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'.