

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17608 of 2021**

Arising Out of PS. Case No.-44 Year-2020 Thana- GORIAKOTHI District- Siwan

SANJAY YADAV S/O BEERA YADAV @ BIR BAHADUR RAY R/O
VILLAGE-SAIDPURA, POLICE STATION-GOREYAKOTHI, DISTRICT-
SIWAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 31-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a) and 36 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 645.480 litres of IMFL is stated to have been recovered from the *aangan* of the house of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession or his house. He has been falsely implicated in the case because of his antecedent. No copy of the seizure list was given to any member of the family inspite of their being present



there. The petitioner is in custody since 8.1.2020 and investigation in the case has concluded.

It is submitted by learned APP appearing for the State that the petitioner has antecedents under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and taking into consideration the facts of the case including the petitioner having antecedents under the Bihar Prohibition and Excise Act, 2016, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail on completing one year in custody.

(Partha Sarthy, J)

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