

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22698 of 2021**

Arising Out of PS. Case No.-193 Year-2019 Thana- RIVILGANJ District- Saran

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BHIM SINGH @ RAKESH SINGH S/O MUKUR SINGH R/o village-
Nayaka Barka Baiju Tola, P.S.- Rivilganj, 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.S.M. Rahman, APP

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

2 17-08-2021 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 learned

A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Rivilganj P.S. Case No. 193 of 2019

registered for the offences punishable under Section 188, 272,

34 of the Indian Penal Code and Section 30, 38 & 41 of the

Bihar Prohibition and Excise Act.

As per the prosecution story, the informant along with

some police personnel were checking the vehicles near Durga

Temple at village Vijay Rai Ke Tola, in the meantime, three

persons riding on a bike were seen coming fast from

Shamshuddinpur Railway Crossing, police tried to stop them but the accused persons turned their bike and tried to escape but on chase they were apprehended and disclosed their names. It is alleged that from the possession of the accused persons illicit liquors were recovered. It is further alleged that on inquiry they were disclosed the name of the petitioner that petitioner used to deliver the illegal wine in the area, thereafter police searched the place of the petitioner but found absconding and none of the co-villagers became agree to disclose his name in fear.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, petitioner was not apprehended at the spot, only on the basis of suspicion he has been made accused in this case, however petitioner is in custody since 11.01.2021.

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

Having regard to the facts and circumstances of the case wherein this Court has noticed from the materials on the record that this petitioner is allegedly involved in running his wine Bhatti and because of his terror no person is ready to speak against him, he is involved in nine cases out of which four are of the similar offences and while enjoying the privilege of bail he

is getting indulged in similar offence, this Court is not inclined to enlarge the petitioner on bail at this stage.

Prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

The Trial court shall take all efforts to conclude the trial as early as possible preferably within a period of nine months from the date of start of physical functioning of the court. If the trial remains unconcluded during this period for no reason attributable to the petitioner, he may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.