

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.25456 of 2021**

Arising Out of PS. Case No.-374 Year-2020 Thana- MINAPUR District- Muzaffarpur

Jitendra Ray @ Jitendra Kumar Yadav Son Of Suraj Rai R/O Village- Kalwari
Madhuban, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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

2 24-09-2021 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. Umesh Lal Verma, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Minapur (Panapur O.P.) P.S. Case No. 374 of 2020 registered for the offences punishable under Section 272, 273/34 of the Indian Penal Code read with Section 30(a), 41 of the Bihar Prohibition and Excise Amendment Act, 2018. He is in custody since 08.01.2021. Petitioner has got six criminal antecedents of similar nature as stated in paragraph '4' of the supplementary affidavit filed on behalf of the petitioner.

As per the prosecution story, the informant alleged

that on 20.09.2020 at about 10:30 P.M. while he along with police force were on night patrolling duty received secret information that one pick up Van loaded with prohibited liquor is going to Raghai Pul, thereafter the informant reached near the Gyani Chowk, in the meantime, all the accused persons fled away on seeing the police party and on search of the vehicle, total 1090.080 liters of prohibited liquor were recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, learned counsel submits that the seized vehicle, and recovered prohibited liquor does not belong to the petitioner, however he is in custody since 08.01.2021.

Mr. Umesh Lal Verma, 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 the petitioner has been made accused in this case as a person involved in trade of illicit liquor, the recovery of 1090.080 liters of illicit liquor from the Pick-Up Van and above all the petitioner has got six criminal antecedents of similar nature, this being the seventh case during last three years, this Court is not inclined to release the petitioner on bail at this stage.

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

Let the trial be expedited. The learned trial court is expected to proceed with the trial and conclude the same as early as possible preferably within a period of nine months from the date of receipt/communication of a copy of this order. The prosecution must cooperate by producing all the witnesses.

If the trial remains unconcluded for no reason attributable to the petitioner, the petitioner 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'.