

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39156 of 2020

Arising Out of PS. Case No.-136 Year-2020 Thana- GUTHANI District- Siwan

SHIVJI BHAGAT Son of Gaya Bhagat Resident of Village- Jataur, P.S.-
Guthni, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-02-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the stamp reporter within four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr. Dilip Kumar No. 1, learned A.P.P. for the State.

The petitioner in the present case is seeking regular bail in connection with Guthni P.S. Case No. 136 of 2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that as per the prosecution story, the informant on secret information searched the house of the petitioner and recovered 404.480 litres of illicit liquor. It is alleged that the petitioner fled away on seeing the police.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is submitted



that nothing has been recovered from the conscious possession of the petitioner. He is in custody since 16.09.2020.

Mr. Dilip Kumar No. 1, learned A.P.P. for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner has got three criminal antecedent of similar nature and while being on bail in those cases, the petitioner got indulged in similar offence, the petitioner being in custody only since 16.09.2020, this Court is not inclined to grant him bail. His prayer is thus, refused.

If so advised, he may renew his prayer for bail after completion of one year of custody in the present case or on framing of charge whichever is earlier.

(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'.

