

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38359 of 2020

Arising Out of PS. Case No.-182 Year-2020 Thana- HASANPUR District- Samastipur

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RNJEET KUMAR @ RANJEET MAHTO son of Rajendar Mahto Resident
of Village- Goriyari, P.S. Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad,Adv
For the Opposite Party/s : Mr.Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-03-2021 Heard the parties.

Petitioner seeks bail in a case registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

From the house of the petitioner, foreign liquor was recovered. Petitioner has got more than one criminal antecedent of identical nature. Petitioner is in custody since 20.08.2020.

Learned counsel for the petitioner submits that the house is occupied by other family members also. The seizure list would reveal that full brother of the petitioner is also a co-accused. Recovery is not from conscious possession of the petitioner and in another criminal case, the petitioner has been allowed bail by a Coordinate Bench of this Court vide Cr. Misc. No.40848 of 2020.



Considering the criminal antecedent of the petitioner and nature of allegation, I am not inclined to enlarge him on bail for the present in connection with Hasanpur P.S.Case No.182 of 2020 pending in the court of learned Additional Sessions Judge 2nd-cum-Special Judge, Excise, Samastipur.

Hence, prayer is refused.

Petitioner may renew prayer for bail after framing of the charges before the learned court below itself who shall pass necessary order according to law.

(Birendra Kumar, J)

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