

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5545 of 2021**

Arising Out of PS. Case No.-439 Year-2020 Thana- MADHAURAH District- Saran

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RAJESH RAI SON OF LATE JAGDISH RAI R/O VILLAGE- AWARI, P.S.-
MARHOURAH, DISTRICT- SARAN AT CHAPRA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan, Adv.

For the Opposite Party/s : Ms. Renu Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-04-2021 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 Madhaura @ Marhourah P.S. Case No.439/2020 registered for the offences punishable under Sections 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution story, the informant reached at the given place where on seeing the police party 6-7 persons started fleeing away after leaving the tractor and they managed to escape. The informant recovered 200 liters of spirit from the tractor and the informant came to know about the name of the accused persons on enquiry.



Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel submits that there is no recovery from the conscious possession of the petitioner and he has been brought in this case merely on suspicion without there being any material against him.

Learned APP 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, considering that the petitioner has got six criminal antecedent and out of that five cases are of similar nature under the Bihar Prohibition and Excise Act, 2016, though the petitioner is said to be on bail in those cases, considering that he he is getting involved in similar offence one after another, this Court is not inclined to grant bail to the petitioner at this stage. His prayer is, thus, refused. He may renew his prayer for bail after six months, if the trial is not concluded.

(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'.

