

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8274 of 2021

Arising Out of PS. Case No.-374 Year-2019 Thana- BIDUPUR District- Vaishali

RAJESH KUMAR SINGH Son of Shivnath Singh Resident of Village -
Sitalpur Kamalpur, P.S. - Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-05-2021 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Bidupur P.S. Case no. 374 of 2019 registered under sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on search being conducted 631.03 litres of IMFL was recovered from a pick-up van and the driver was arrested.

It is submitted by learned counsel for the petitioner that no incriminating article as alleged in the FIR has been recovered. The petitioner was not arrested at the spot. He has been falsely implicated in the case only for the reason that he happens to be the registered owner of the said vehicle. He is in custody since 15.10.2020 and investigation in the case has concluded.

The application for bail is opposed by learned counsel for the State who submits that not only the petitioner is owner of



the vehicle in question from which 631 litres of IMFL was recovered, in fact the petitioner has also on earlier occasion been accused in two other cases under the Bihar Prohibition and Excise Act.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the allegations in the FIR and the antecedents of the petitioner under the Bihar Prohibition and Excise Act as mentioned in paragraph no. 3 of the petition, the Court is not inclined to enlarge the petitioner on bail and the same is rejected.

However, liberty is granted to the petitioner to renew his prayer for bail on completing 1 year in custody.

(Partha Sarthy, J)

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