

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8412 of 2021

Arising Out of PS. Case No.-147 Year-2018 Thana- NOKHA District- Rohtas

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VIMLESH CHAUDHARY Son of Late Shakti Chaudhary Resident of Village
- Jagarnath Tola, P.S.- Nokha, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate
For the State : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Nokha P.S. Case no. 147
of 2018 registered under section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

As per allegation in the FIR, on secret information
having been received about the petitioner dealing in liquor, a
raid was conducted and 16 litres of Mahua and 25 litres of spirit
was recovered from the house of the petitioner and his wife was
taken into custody.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the house



of the petitioner. The petitioner has been falsely implicated in the case because of his antecedent. He was not caught at the place of occurrence and has no concern with the seized liquor. He surrendered in the learned Court below and is in custody since 16.9.2020. Chargesheet has been submitted in the case.

The application for bail is opposed by learned Additional Public Prosecutor for the State who submits that the petitioner has an antecedent under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the recovery of the liquor from the house of the petitioner and the petitioner having an antecedent under the Bihar Prohibition and Excise Act, 2016, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

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

(Partha Sarthy, J)

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