

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8402 of 2021

Arising Out of PS. Case No.-576 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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RAJ MANISH KUMAR SON OF MOTILAL RAY R/O VILLAGE- GADHA
HASAN, P.S.- PAROO, DIST.- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Rajpati, Advocate
For the State : Dr. Mrityunjay Kr. Gautam, 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 Sadar P.S. Case no. 576
of 2020 registered under section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

As per allegation in the FIR, on search being
conducted, 38.250 litres of liquor was recovered from a Tata
Sumo and two motor-cycles. It is stated that while the petitioner
and one accused person were caught, one of the accused
managed to escape.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case



because of his antecedent. No incriminating article has been recovered from his person or possession. He is in custody since 6.10.2020 and chargesheet has been submitted in the case.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts that the petitioner was caught at the place of occurrence where 38.250 litres of liquor was seized together with the petitioner having antecedent under the Bihar Prohibition and Excise Act, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

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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