

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6125 of 2022

Arising Out of PS. Case No.-295 Year-2021 Thana- BASOPATTI District- Madhubani

Mukesh Raut S/o Ramanand Raut R/o village- Basopatti, P.S.- Basopatti,
Distt.- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-06-2022 The learned counsel for the petitioner is directed to re-
move all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in a case registered for
the offences punishable under Sections, 272, 273 of Indian Pe-
nal Code and Section 30(a) of Bihar Prohibition and Excise Act.

Allegedly from the house of this petitioner 450 bottles
containing 135 liters Nepali country made wine was recovered.

The main submissions advanced by learned counsel
for the petitioner are that the recovery of alleged wine is stated
to have been made from the house of this petitioner but the same
was not made from his conscious possession as the petitioner's



house is in joint possession of petitioner's family members and petitioner has no criminal antecedent and he has been languishing in jail since 19.12.2021.

Learned APP has opposed the prayer for bail.

Heard both the sides and perused the FIR as well as seizure of the alleged wine. As per prosecution story the house of this petitioner was raided and 450 bottles containing 135 litres nepali wine was recovered. Considering the said recovery of wine being made from the house of this petitioner which relates to huge quantity of country made wine, in the opinion of this Court it is not a fit case for grant of bail. Accordingly petitioner's prayer for bail stands rejected.

Petitioner may renew his prayer for regular bail after framing of charge before the Court below, if he prefers the said liberty then learned Court below will decide his prayer without being prejudiced with this order.

(Shailendra Singh, J)

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