

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8212 of 2022

Arising Out of PS. Case No.-170 Year-2021 Thana- PIPRAHI District- Sheohar

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DEVENDRA KUMAR @ NATHUNI SAH Son of Rajdeo Sah Resident of
Village- Minapur Balaha, P.S.- Piprahi, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-02-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, 174 litres of liquor was recovered from the motorcycle of this petitioner and on which one Manoj Paswan was also present.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was erroneously withdrawn by learned counsel for the petitioner on 5.1.2022. No incriminating article has been recovered from the petitioner's possession. Manoj Paswan has been enlarged on bail from the Court below. The petitioner has remained in custody since 5.9.2021.



The application for bail is opposed by learned APP for the State who submits that the petitioner has two criminal antecedents of which one of them is under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having an antecedent under the Bihar Prohibition and Excise Act, 2016, 174 litres of liquor having been recovered from the motorcycle driven by this petitioner and the petitioner being taken into custody at the spot, this 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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