

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15190 of 2022

Arising Out of PS. Case No.-195 Year-2021 Thana- PHULWARIYA District- Gopalganj

NAGENDRA YADAV Son of Bairistar Yadav @ Bayristaor Yadav Resident of Village - Majirawa Kala, Tola- Ghuthnaha, P.S. - Fulwariya, District - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-05-2022

Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 272, 273, 34 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, 142 liters of illicit foreign liquor has been recovered from two motorcycles and it is alleged that this petitioner alongwith two co-accused fled away from the spot after leaving their motorcycles.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner and is in custody since 01.12.2021.

Learned A.P.P. for the State has opposed the bail petition and submitted that petitioner is habitual offender and he has got criminal antecedent of 18 (eighteen) case, out of which,



11 (eleven) cases are of similar nature.

Considering the aforesaid facts and circumstances as well as the fact that petitioner has got criminal antecedent of similar nature of cases, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

However, the learned court below is directed to conclude the trial within a period of nine months from the date of receipt / production of copy of this order. If the trial is not concluded within aforesaid time, the petitioner would be at liberty to renew the prayer for bail.

(Prabhat Kumar Singh, J)

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