

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17581 of 2022**

Arising Out of PS. Case No.-203 Year-2021 Thana- BHAGWANPUR District- Begusarai

HIMANSHU KUMAR S/o Dinesh Chaurasiya @ Dinesh Chourasia Resident
of Village- Akaha, P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 20-05-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in a case registered for the offence under Sections 414, 120(B) of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

1197 liters of illicit foreign liquor has been recovered from a truck and petitioner is alleged to have fled away from the spot.

It is submitted on behalf of petitioner that no incriminating article has been recovered from the conscious possession of this petitioner. Petitioner is neither owner nor driver of the said truck and is in custody since 27.12.2021.

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 7 (seven) case, out of which, 6 (six) 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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