

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43873 of 2021**

Arising Out of PS. Case No.-476 Year-2020 Thana- PHULPARAS District- Madhubani

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VIJAY MARSHAL @ VIJAY KUMAR Son of Ram Bilash Yadav Resident
of village- Phulparas East Tole, P.S. - Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 04-02-2022 Heard Mr. Gagandeo Yadav, learned counsel for the

petitioner and Mr. Md. Anzarul Haque Sahara, learned A.P.P. for

the State through virtual court proceedings.

Petitioner seeks regular bail in connection with
Phulparas P.S. Case No. 476 of 2020, G.R. No. 1212 / 2020
registered for the offence punishable under Sections 272 , 273 of
the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

Prosecution case in brief is that Police got secret
information that consignment of liquor has been brought near
the house of the petitioner. Accordingly, Police proceeded
towards the place of occurrence and found that behind the house
of the petitioner near the hutment a truck is standing and from
the truck as well as hutment total quantity of 1818 liters of



foreign liquor has been recovered.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of secret information and he is neither the owner of the truck nor its driver. He further submits that the hutment from where illicit liquor has been recovered is situated behind the house of the petitioner and the petitioner has no concern with the same.

Regard being had to the submission made by the parties, taking into consideration the materials available on record and the fact that behind the house of the petitioner from the hutment and the truck huge quantity of illicit liquor has been recovered and the petitioner is a history sheeter having twenty (20) criminal antecedents of serious nature of offence, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for bail is rejected.

However, the petitioner may renew his prayer for bail after one year from today, if the trial does not record any substantial progress.

praful/-

(Anil Kumar Sinha, J)

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