

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44588 of 2021

Arising Out of PS. Case No.-53 Year-2021 Thana- RAJPUR District- Rohtas

SANDEEP JAISWAL @ SANDIP KUMAR, Son of Birendra Jaiswal @
Virendra Jaishwal, Resident of Village- Rajpur, P.S.- Rajpur and District-
Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-02-2022 Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the Stamp Reporter within
four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present is seeking regular bail in
connection with Rajpur P.S. Case No. 53 of 2021 registered for
the offences punishable under Section 30(a) of Bihar Prohibition
and Excise Amendment Act, 2018. He has got eight criminal
antecedents of similar nature. In connection with the present
case, petitioner is in custody since 28.03.2021.

As per the prosecution story, the Sub-Inspector of
Police along with the other members of the patrolling party



received secret information that the petitioner who is a trader of illicit liquor is selling wine. The informant reached at the hotel of this petitioner situated at Rajpur Nokha Road where the informant saw a person aged about 44 years having two bottles country made liquor containing 300 ml each in his hand. The said person disclosed the name of this petitioner from whom he had purchased the liquor. It is then alleged that when the informant reached to the place of this petitioner he started fleeing away but was apprehended. On his disclosure altogether 90 bottles country made liquor each having 300 ml of Champion brand and again 40 bottles country made liquor each having 300 ml were seized.

Learned counsel for the petitioner submits that in this case there is no independent witness and it is a case of false implication because of his criminal antecedents.

On the other hand, Mr. Akhileshwar Dayal, learned A.P.P. for the State submits that as per his own version the petitioner runs a small hotel and he was arrested from the hotel, the material shows that he was involved in trade of illicit liquor and he was doing this since the year 2016 and this fact would be evident from paragraph '3' in which eight criminal antecedents are reported.



Having regard to the materials available before this Court, the recovery made at the instance of the petitioner and further that the petitioner seems to be involved in trade of liquor and is having eight criminal antecedents of similar nature, this Court is not inclined to release the petitioner on bail at this stage.

Let the trial be expedited.

The trial court shall keep the records of this case on shorter dates, the prosecution shall produce the witness on the date fixed in the matter, no unnecessary adjournment shall be granted to the prosecution or the defence and all endeavours shall be made to conclude the trial preferably within a period of nine months from the date of communication of this order.

If the trial still remains unconcluded for no reason attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

