

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37831 of 2022

Arising Out of PS. Case No.-183 Year-2022 Thana- BARAUNI District- Begusarai

Prabhu Nishad @ Prabhu Mahto S/o Bhanghi Mahto @ Bhanghi Nishad
Resident of Kasha Diyara, P.S.- Maranchi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 11-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Barauni (Chakiya) P.S. Case No. 183 of 2022 lodged under
Section 30(a) of Bihar Prohibition and Excise Amendment Act,
2018 read with Section 25 (1-b)a, 26 & 35 of the Arms Act.

As per the prosecution case, total recovery of 30 litres
country made liquor as well as 2 *desi katta* is the subject matter
of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
submits that the antecedent of the petitioner is clean and in

custody since 26.04.2022. Counsel also submits that charge sheet has already been filed in this case.

Learned counsel for the petitioner submits that the name of the petitioner has figured in this case by virtue of the instance of his enemy.

Learned counsel for the State opposes the prayer for bail and submits that not only wine rather arms were also recovered from the possession of the petitioner.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, the bail petition of the petitioner is hereby rejected. But liberty is hereby granted to the petitioner that he may renew his prayer for bail 3 months after framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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