

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50067 of 2021

Arising Out of PS. Case No.-241 Year-2021 Thana- BODHGAYA District- Gaya

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BIRENDRA CHAUDHARY Son of Chandradeo Chaudhary Resident of
Village- Dirawan Ward No.09, P.S.- Cherki, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 10 litres of country made wine and 45 kgs of jawa mahua is said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the petitioner's possession or from his house. He has been falsely implicated in the case. He is in custody since 18.7.2021 and charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that the petitioner has an antecedent



under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the recovery from the house of the petitioner and the petitioner having an antecedent under the Bihar Prohibition and Excise Act, 2016, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail on completing one year in custody.

(Partha Sarthy, J)

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