

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41804 of 2022**

Arising Out of PS. Case No.-167 Year-2020 Thana- VAISHALI District- Vaishali

VIJAY RAI S/o Musafir Rai Resident of Village- Sorhatta, P.S.- Vaishali,
District- Vaishali. Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate.

For the Opposite Party/s : Mr. Mohammed Arif, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Vaishali (Belsar O.P.) P.S. Case No. 167 of 2022 lodged under
Section 30(a) of Bihar State and Prohibition Act, 2018.

As per the prosecution case, total recovery of 4590
liters of foreign liquor alleged to be recovered from a truck
which is standing at a nearby place of the house of accused
Ranjeet Roy. FIR is also filed against the present petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that nothing was recovered from his possession. He has shown
in the FIR as the close associate of accused Ranjeet Roy.
Learned counsel further submits that in paragraph 11 he has



categorically stated that the villagers of petitioner had assaulted the I.O. and thereafter the name of the petitioner has started figuring in the different cases which are described in paragraph 3 of the petition.

Learned counsel for the petitioner further submits that petitioner is in custody since 07.04.2022. Charge-sheet has already been filed in this case. On the point of criminal antecedent, counsel submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed by the court against him.

Learned counsel for the State opposes the prayer for bail and submits that there are in total ten cases against the petitioner including the present one, out of ten cases, five are related to the Excise matter and five are other than Excise matter and he is appears to be the habitual offenders.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present but he may renew his prayer for bail after framing of charge in this case and the trial court shall direct him to release on his own satisfaction.

Speedy trial is the constitutional vision of justice. Reason of the justice here in the present case there are in total



ten cases pending against the present petitioner, five belongs to Excise and five are other than Excise matter.

	<u>Excise Act</u>	<u>Non-Excise Act</u>
1.	Vaishali P.S. Case No. 341/2019	Vaishali P.S. Case No. 225/2020
2.	Vaishali P.S. Case No. 356/2020	Vaishali P.S. Case No. 291/2021
3.	Bhagawanpur P.S. Case No. 199/2021	Vaishali P.S. Case No. 493/2021
4.	Vaishali P.S. Case No. 354/2021	Vaishali P.S. Case No. 494/2021
5.	Vaishali (Belsar O.P.) P.S. Case No. 167/2020 (Present)	Vaishali P.S. Case No. 495/2021

Here in the present case, all the cases are relating to District and Sessions Judge, Vaishali at Hajipur. Therefore, it is directed that all the cases relating to Excise matter shall run before one Excise Court with one date and all other cases which are other than Excise matter shall run before one Magistrate with common date and after commitment shall run before one Sessions Judge with common date as the case may be. Let the order of this case is communicated to the District and Sessions Judge, Vaishli, at Hajipur also for perusal and necessary compliance.

In this court’s above direction, the case is rejected.

(Dr. Anshuman, J)

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