

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56544 of 2021

Arising Out of PS. Case No.-228 Year-2021 Thana- BUXAR MUFFSIL District- Buxar

Nitish Kumar Yadav @ Nitish Kumar, Son Of Late Madan Yadav, R/O
Village- Lalganj, P.S.- Buxar Muffasil, District- Buxar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-04-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

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

Petitioner, in the present case, is seeking regular bail in connection with Buxar (M) P.S. Case No. 228 of 2021 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018. He is in custody since 27.06.2021 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has



alleged that on confidential information a raid was conducted in the house of the petitioner and on search 2278 pieces of under World Whisky, each of 180 ml. and 864 pieces of Super Speed Whisky each of 180 ml. i.e. total 565 liters and 560 ml. illicit English liquor were recovered which were kept under the straw and a person was arrested who disclosed his name as Nitish Kumar Yadav (the petitioner).

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the alleged recovery has been made from the straw house which is a joint family house of the petitioner, however he is in custody since 27.06.2021.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the materials showing that 2278 pieces of under World Whisky each of 180 ml. and 864 pieces of Super Speed Whisky each of 180 ml. has been recovered the straw house of the petitioner and he was arrested on the spot, this Court is not inclined to release him on bail at this stage.



The prayer for regular bail of the petitioner is thus,
refused.

Let the trial be expedited. If the trial is not
concluded within a period of six months from the date of
communication of this order, the petitioner will be at liberty
to renew his prayer for bail.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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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'.

