

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56545 of 2021

Arising Out of PS. Case No.-78 Year-2021 Thana- TETERHAT District- Lakhisarai

BAUDHU RAM, S/o Late Ram Padarath Ram, R/o village- Khutahadih, P.S.-
Badahiya, District- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Suman Kumar Singh, A.P.P.

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 two weeks
after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Suman Kumar Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Tetarhat P.S. Case No. 78 of 2021 registered for
the offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act. He is in custody since 30.07.2021. The
petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, while the informant was involved in
vehicle checking one Bolero Pick up bearing registration no.
JH10BV-4459 stopped at some distance and on suspicion the
informant reached near the vehicle then three persons started



escaping after stepping down from the vehicle, a chase was made on which one was apprehended and two managed to escape. The apprehended person was the petitioner who disclosed that he is the owner of the Bolero pick up and on search of the vehicle total 216 liters of illicit liquor were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no criminal antecedent and he is in custody in connection with this case since 30.07.2021.

Learned counsel submits that nothing has been recovered from his conscious possession and the petitioner is the owner of the vehicle in question and the vehicle was being driven by the driver who managed to escape.

Mr. Suman Kumar Singh, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the materials appearing from the First Information Report itself showing that this petitioner happens to be the owner of the Bolero Pick-up Van in which the illicit liquors were being transported for sale and the petitioner



was himself present in the Bolero Pick-up vehicle when the same was intercepted by Police, this Court is not inclined to release the petitioner on bail at this stage. Prayer for bail is, thus, refused.

Let the trial be expedited.

The trial court is directed to proceed with the trial keeping the matter on a shorter date and all endeavours be made to conclude the trial within a period of six months from the date of communication of this order.

The Superintendent of Police, Lakhisarai shall ensure that all the prosecution witnesses are produced on the date fixed in the matter. If the trial still remains unconcluded for no reason attributable to the petitioner, the petitioner may renew his prayer for bail.

A copy of this order shall also be communicated to the Superintendent of Police, Lakhisarai for necessary action.

(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'.

