

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61029 of 2021**

Arising Out of PS. Case No.-290 Year-2021 Thana- SAKRA District- Muzaffarpur

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BINAY KUMAR DAS @ BANDHU DAS @ BINAY KUMAR Son of Lal
Mohan Das Resident of Village - Itaha, P.S.- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-04-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 341, 323, 353, and 147 of the Indian Penal Code and section 30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 26.25 litres of IMFL was recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession or his house. He is in custody since 5.9.2021 and chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. 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 together with the petitioner having 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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