

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 53228 of 2022

Arising Out of PS. Case No.-758 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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RAJESH PRASAD SON OF LATE SADHU PRASAD R/O VILLAGE-
KOLSAITA, P.S.- DUMARIYA, DIST.- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for grant of bail
in a case registered under section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The earlier application for bail of the petitioner was
rejected vide order dated 11.4.2022 (Annexure-1) passed in Cr.
Misc. no. 51113 of 2021.

As per the prosecution case, 5962.5 litres of country
liquor was recovered from the vehicle being driven by this
petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in



the case. In spite of the petitioner being in custody since 17.6.2021 and his not having any criminal antecedent, the trial is still continuing and there is no chance of the same concluding in the near future.

A report was called for from the learned trial Court. As per the report received contained in letter dated 18.10.2022 the trial is pending for defence witnesses and is likely to conclude in the month of November 2022 itself.

Having heard learned counsel for the parties and taking into consideration the recovery of huge quantity of liquor from the vehicle being driven by this petitioner together with the trial nearing its conclusion as mentioned in the report received from the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial and to conclude the same within three months.

(Partha Sarthy, J)

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