

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47741 of 2023

Arising Out of PS. Case No.-459 Year-2021 Thana- BIDUPUR District- Vaishali

Brahmdeo Singh @ Brahamdeo Singh, son of Late Rameshwar Singh Village-
Bhairapur Ps- Bidupur Dist- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Regional Director Narcotics Control Bureau Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
		Mr.Amit Kumar, Advocate
For the Opposite Party/s :		Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-08-2023 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner has renewed his prayer for bail in connection with Bidupur P.S. Case No.459 of 2021, having earlier been rejected by order dated 19.12.2022 passed in Cr. Misc. No. 8067 of 2022, registered for the alleged offences under Sections 20 (b) (ii) (c), 23 (a), 29 of the Narcotic Drgus and Psychotropic Substances Act and Section 30 (a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, a raid was conducted on the house of the petitioner on secret information being received that the petitioner and his co-accused son have stored huge quantity of illicit liquor and *ganja* and the petitioner was



apprehended. From a semi-constructed house within the boundary wall of the house of the petitioner, 891 liters of India made foreign liquor and 42.305 Kg of *ganja* were recovered.

4. The learned senior counsel appearing on behalf of the petitioner submits that this is the second attempt of the petitioner to seek bail from this Court as his earlier prayer for bail was rejected vide order dated 19.12.2022 passed in Cr. Misc. No.8067 of 2022. The learned senior counsel further submits that the petitioner is 70 years old person and he has been falsely implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The recovery has been shown from a joint family property and it was a house without doors and windows. The learned senior counsel further submits that the seizure list shows it bears no signature of the petitioner. The petitioner is in custody since 19.09.2021 and the trial has not been concluded till date.

5. Learned APP opposes the prayer for bail of the petitioner. The learned APP submits that recovery of huge huge quantity of illicit liquor and contraband ganja have been made from the house of the petitioner. Earlier prayer for bail of the petitioner was rejected. No fresh ground has been brought on record for reconsideration.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the prayer for grant of bail to the petitioner has been rejected on earlier occasion because of recovery of huge quantity of illicit liquor and contraband *ganja* from the house of the petitioner, I do not find that there is any substantial change of circumstances which will require consideration of the application for grant of bail at this stage again.

7. Accordingly, his prayer for grant of bail is rejected.

(Arun Kumar Jha, J)

V.K.Pandey/-

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