

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72407 of 2023

Arising Out of PS. Case No.-454 Year-2023 Thana- ROSERA District- Samastipur

Kaushal Kishor Ray @ Kaushal Singh @ Kaushal Kumar Ray S/O Late
Ramanand Ray Village- Dharha, Ward No. 10, Ps. Rosera, Dist. Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of regular bail in connection with Rosera P.S. Case no. 454 of 2023 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received a raid was conducted. The informant states that the accused made an attempt to escape but was caught and identified as the petitioner herein. On search of the house 30 litres of IMFL, details of which have been given in the FIR, was recovered.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his conscious possession or from his house. The petitioner is in custody since



4.8.2023 and undertakes to cooperate in the trial.

5. The application for bail is opposed by the learned A.P.P. for the State and submits that the petitioner has antecedents under the Bihar Prohibition and Excise Act, 2016.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the recovery of 30 litres of IMFL from the house of the petitioner together with the petitioner having been arrested at the spot and the petitioner having three criminal antecedents under the Bihar Prohibition and Excise Act, 2016, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after completing one year in custody.

(Partha Sarthy, J)

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