

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68941 of 2023

Arising Out of PS. Case No.-766 Year-2023 Thana- Excise P.S. District- Nalanda

Narendra Mahto @ Narendra Kumar Son Of Shiv Kumar Prasad Resident Of
Village - Bhikhni Bigha, P.S. - Sare, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Sharma, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise P.S. Case no. 766 of 2023 registered under sections 30(a) and 32 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 277.5 litres of IMFL was recovered from the premises of the petitioner.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession. The name of petitioner transpired in the statement of a co-accused made before police. He has no concern with the seized article and has been falsely implicated because of his antecedents. He is in custody since 14.9.2023. Learned counsel for the petitioner lastly submits that the provisions of the section



100 Cr.P.C has not been complied with.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration that the premises from which 277.5 litres of IMFL was recovered belongs to this petitioner together with the petitioner having four 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 or after framing of charge, whichever is later.

(Partha Sarthy, J)

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