

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75396 of 2022

Arising Out of PS. Case No.-678 Year-2022 Thana- TEKARI District- Gaya

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Ajit Kumar @ Bitu @ Bitan Son of Banbari Yadav R/v- Kui, P.S.- Konch,
District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Tekari (Panchanpur) P.S. Case No. 678 of 2022 lodged under
Sections 413 of the I.P.C. read with Section 30(a) of Bihar
Prohibition and Excise Act, 2018.

As per the prosecution case, the total recovery of 125
litre of wine has alleged to be made, is the subject matter of the
present case in which petitioner is named accused along with
other 4 persons.

Learned counsel for the petitioner submits that
petitioner's name has figured in this case by virtue of

confessional statement and it has come that the petitioner used to involve in this case as liner.

Counsel further submits that there are 3 criminal antecedent of the petitioner, one case is of similar nature and another 2 cases are of different nature. He submits that in all the 3 cases, he is on bail. Counsel submits that petitioner is in custody since 15.11.2022.

Learned counsel for the State opposes the prayer for bail and submits that petitioner's antecedent is under the excise act.

Upon specific query whether charge has been framed or not. As per the knowledge of counsel, charge has not been framed till date.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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