

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19449 of 2024

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

Narendra Mahto @ Narendra Kumar S/o Shiv Kumar Prasad R/o Vill -
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
		Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s	:	Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 13-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P for the State.
2. The petitioner has renewed his prayer 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 appearing for the petitioner submits
that the earlier application for bail of the petitioner was rejected
vide order dated 1.11.2023 (Annexure-1) passed in Cr. Misc.
no.68941 of 2023 giving liberty to the petitioner to renew his
prayer for bail on completing one year in custody or after framing
of charge, whichever is later. Learned counsel submits that charge



has been framed against the petitioner in the learned trial Court vide order dated 13.2.2024 (Annexure-3). As such it is submitted that the petitioner be enlarged on bail.

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

6. Having heard learned counsel for the parties and taking into consideration the observation in the earlier order of rejection dated 1.11.2023 wherein the petitioner was given liberty to renew his prayer for bail ‘after completing one year in custody or after framing of charge, whichever is later’, though charge has been framed against the petitioner, his being in custody since 14.9.2023 and not having completed one year in custody, in the opinion of the Court, this application is pre-mature and is thus rejected.

7. The petitioner will be at liberty to renew his prayer for bail as directed vide order dated 1.11.2023 passed in Cr. Misc. no. 68941 of 2023.

(Partha Sarthy, J)

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