

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46125 of 2024

Arising Out of PS. Case No.-193 Year-2024 Thana- MALSALAMI District- Patna

Shiv Dayal Rai S/o- Late Shiv Shankar Rai Village- Didarganj Check Post
Near Dharamshala Ps- Didarganj Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Gulnar Begum

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 04-07-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Malsalami P.S. Case No. 193 of 2024 for the offences
punishable under Section 30(a) of Bihar Prohibition & Excise
Act 2016.

3. As per allegation, 350 liters country-made liquor
was recovered from the tempo. On being chased by the police,
the driver became successful in fleeing away.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that the petitioner was not
aware of the alleged liquor. He has also submitted that nothing
was recovered from his possession. The petitioner is under



custody since 21.04.2024.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the petitioner has one criminal antecedent of similar nature.

6. Considering the above-mentioned facts and circumstances as well as the gravity of the allegation and also the fact that the petitioner has a criminal antecedent on similar nature, I do not think it to be a fit case for bail, which is hereby rejected.

7. However, the petitioner, if so advised, may renew his prayer for bail after nine months from today.

(Nawneet Kumar Pandey, J)

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