

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86055 of 2023**

Arising Out of PS. Case No.-680 Year-2023 Thana- BIHPUR District- Bhagalpur

Mithun Kumar, Male, aged about 24 years, Son of Sanjit Kumar @ Sanjeet Kumar Ray @ Gulta Ray Resident of village-Marwa, P.S- Jhandapur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Prakash

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 20-03-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Bihpur (Jhandapur) P.S. Case No.680 of 2023 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act and Sections 25(1-b)a, 26/35 of the Arms Act.

3. Allegation against the petitioner is to have involved in illegal trade of illicit liquor and there is recovery from his joint house of total 2.05 litre of illicit liquor, 03 country



made pistol and 36 pieces of live cartridges.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that most of the recovery has been made from the room of brother of this petitioner and recovery of illicit liquor was made from kitchen of the house. It is submitted that nothing articles recovered from the conscious physical possession of this petitioner. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 03.11.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. In view of the allegations, as made above, as it appears from perusal of impugned order that alleged recoveries have been made from joint house of this petitioner, where, this petitioner was arrested at the place of occurrence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. Learned trial court is directed to conclude the trial within a period of 06 (six) months from the date of receipt of a copy of this order, where, the petitioner would be at liberty



to renew his prayer for bail before the learned trial, if the trial
could not be concluded before the specified period.

(Ramesh Chand Malviya, J)

S.Katyayan/-

U		T	
---	--	---	--

