

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26430 of 2021**

Arising Out of PS. Case No.-390 Year-2018 Thana- MAHUA District- Vaishali

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SRI RAM SINGH S/O LATE PARASH NATH KUAR R/O VILLAGE-
KARIHO, P.S-MAHUA, DISTRICT-VAISHALI AT HAJIPUR (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 06-08-2021 It appears that by order dated 29.07.2021 the case was adjourned and directed to be listed on 02.08.2021 but inadvertently 02.09.2021 has been typed instead of 02.08.2021.

Let the error be corrected and date of listing of the case be read as 02.08.2021 instead of 02.09.2021.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 414/34 of the Indian Penal Code and under Section 30/ 30 (a), 38 of the Bihar Prohibition & Excise Act.

As per the prosecution case, 2950.20 liters of foreign liquor was recovered from several vehicles parked near brick kiln of Subodh Rai of village Chak Sikandar.

Learned counsel appearing for the petitioner submits



that petitioner is innocent and has falsely been implicated in the case. During the course of investigation it transpired that petitioner and other accused persons were selling liquor to different traders. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner is neither owner nor driver of the vehicles. Petitioner is in custody since 06.01.2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and huge quantity of recovery of liquor, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

However, once the charge is framed and trial is commenced, the petitioner shall be released on bail by the trial court to its own satisfaction on the condition that the petitioner will co-operate in disposal of the trial.

(Prabhat Kumar Singh, J)

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