

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30203 of 2021**

Arising Out of PS. Case No.-24 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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MAHESH KUMAR @ MAHESH KUMAR SINGH SON OF LATE
BRAHMDEV SINGH Resident of Village - Mahua Singh Rai , P.S.- Mahua,
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.A.P.P

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

2 13-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in C2A No. 24/2021
registered for the offence punishable under sections 30(a), 32 (i)(ii),
41(i) of Bihar Prohibition and Excise Act.

On secret information, raid was conducted and 3483.360
liters country made liquor was recovered from a truck and this
petitioner along with two other accused were arrested on the spot.

It is submitted on behalf of petitioner that no
incriminating article has been recovered from the conscious
possession of petitioner. Petitioner was neither owner nor driver
of the truck in question and he is in custody since 24.01.2021.

Learned counsel for the State opposed the prayer for



bail and submitted that petitioner has got criminal antecedent of similar nature and huge quantity of liquor has been recovered and petitioner has been arrested on the spot.

Considering the fact that huge quantity of liquor has been recovered and his criminal antecedent, prayer for bail of the petitioner is rejected.

However, once charge is framed and trial commences, trial court (Addl. Sessions Judge II-cum- Special Judge, Excise, Vasishali at Hajipur) is directed to release the petitioner on bail on furnishing bail bonds fixed by the court below itself to its satisfaction.

(Prabhat Kumar Singh, J)

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