

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2793 of 2022

Arising Out of PS. Case No.-309 Year-2021 Thana- DIGHA District- Patna

Vikash Kumar Son Of Ram Najar Prasad R/O Village- Magadh Colony, Kurji,
P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mrs.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-03-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, 6.25 liters of illicit wine has been recovered from the possession of co-accused Manoj Kumar and this petitioner is alleged to be associate of co-accused, who fled away from the place of recovery.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner. Recovery has been made from the possession of co-accused and petitioner is in custody since 25.09.2021.

Learned A.P.P. for the State has opposed the bail petition and submitted that petitioner has got criminal



antecedent and he is accused in six more cases, out of which, three cases are of similar nature.

Considering the aforesaid facts and circumstances as well as the fact that petitioner has got criminal antecedent of similar nature of cases, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, the learned court below, where the case is pending, is directed to release the petitioner on bail, **after framing of the charge.**

(Prabhat Kumar Singh, J)

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