

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4714 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

MD. SAHID @ SAHID PRADHAN @ SAHID REZA S/o Late Md. Din Ali
@ Late Md. Ali Resident of Dhanigachh, Sonapur, P.S.- Chopra, District-
Uttar Dinajpur (West Bengal)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-04-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in a case registered for the offence under Sections 272, 273 of the I.P.C. and Sections 30(a), 32, 41 of Bihar Prohibition and Excise Act.

2340 liters of illicit foreign liquor has been recovered from a truck and petitioner has been made accused on the basis of confessional statement of co-accused, who was apprehended on spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner. Petitioner is neither owner nor driver of the said truck and he is in custody since 28.10.2021.



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 ten more cases 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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