

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6484 of 2022

Arising Out of PS. Case No.-384 Year-2021 Thana- MAIRWAN District- Siwan

VIKESH KUMAR @ VIKESH KUMAR YADAV Son of Surendra Yadav
Resident of Village- Thepaha Uttar Tola, P.S. - Jiradei, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2022 Heard learned counsel for the parties.

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, 125 liters of illicit country-made liquor has been recovered, out of which, 45 liters of country-made liquor was recovered from the motorcycle of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner and he has been made accused only on suspicion. Petitioner is in custody since 28.11.2021.

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 one more case of similar nature.



Considering the aforesaid facts and circumstances as well as the fact that petitioner has got criminal antecedent of similar nature of case, 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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