

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9740 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- DUMRA District- Sitamarhi

Manoj Kumar Son of Baiju Ray Resident of Village - Rasalpur, Tola- Bagha
Dabra lagma, Ward no.7, P.s.- Dumra, Distt.- Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mrs.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-04-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Dumra P.S. Case No. 194
of 2021, registered for the offence punishable punishable under
Sections 30(a), 36, 41(i) of the Bihar Prohibition and Excise
Act, 2016.

Total 2014 litres of foreign liquor has been recovered
from different vehicles which were parked in the orchard of co-
accused Pramod Chand Prasad and petitioner has been made
accused in this case by co-accused who were apprehended on
the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner Petitioner is
neither driver nor owner of vehicles in question and he has got



no concern with the seized liquor. Petitioner is in custody since 22.07.2021. Investigation is complete.

Learned APP however vehemently opposed the prayer for bail and submitted that petitioner has got criminal antecedent of similar nature.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner shall be released on bail by the learned trial court on its own satisfaction and on the condition that petitioner will cooperate in disposal of trial and appear before the court, as and when required.

(Prabhat Kumar Singh, J)

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