

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10771 of 2022

Arising Out of PS. Case No.-330 Year-2021 Thana- RAJNAGAR District- Madhubani

Manis Kumar Das Son Of Brahamdev Das R/O Village- Sukkhi, P.S.-
Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-04-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Rajnagar P.S. Case No. 330 of 2021 corresponding to GR Case No. 2227 of 2021, registered for the offence punishable punishable under Sections 272, 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

90 litres of Nepali Saufi liquor has been recovered from a motorcycle and this petitioner was apprehended on the spot.

It is submitted that no recovery has been made from conscious possession of this petitioner. Petitioner is neither driver nor owner of vehicle in question and has got no concern with the seized liquor. Petitioner is in custody since 24.11.2021.



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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