

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14862 of 2022

Arising Out of PS. Case No.-518 Year-2021 Thana- MAHUA District- Vaishali

MUNNA KUMAR S/o Sogarath Rai @ Ram Sogarath Ray R/o- Village -
Mahua Ram Rai, P.S. - Mahua, District - Vaishali, Bihar- 844122.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in a case registered for the offence under Sections 30(a), 32(ii), 34(ii), 38(ii) and 41(i) of Bihar Prohibition and Excise Act.

5124.240 liters of illicit foreign liquor was recovered from a truck and it is alleged that petitioner and others have fled away after seeing the police team.

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. Petitioner is in custody since 10.11.2021.

Learned A.P.P. for the State has opposed the bail petition and submitted that petitioner is accused in one more case of similar nature i.e. Mahua P.S. Case No. 713 of 2020.



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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