

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13231 of 2022

Arising Out of PS. Case No.-736 Year-2021 Thana- MAHUA District- Vaishali

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DILIP KUMAR Son of Balli Rai @ Bali Ray @ Jali Rai. Resident of Village-
Bisunpur Madhaul, P.S.- Mahua, District- Vaislhai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-05-2022 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) / 41(i) of
Bihar Prohibition and Excise Act.

As per the prosecution case, altogether 3158.370
liters of Indian made foreign liquor has been recovered from a
truck and pick-up van and petitioner is alleged to have brought
the aforesaid liquor with the help his other associates.

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 alleged vehicles in
question and he is in custody since 21.01.2022.

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 three 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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