

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12900 of 2022

Arising Out of PS. Case No.-173 Year-2021 Thana- KUTUMBA District- Aurangabad

VIJAY PASWAN Son of Late Balkeshwar Paswan Resident of Village- Simri
Bala, P.S.- Kutumba, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Anand

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 120 liters of country made liquor has been recovered from two bikes and this petitioner has been made accused in this case on the basis of confessional statement of co-accused, Chhotu Kumar.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner is neither driver nor owner of the vehicles in question. Petitioner is in custody since 25.12.2021. Investigation is complete.



Learned counsel appearing for the State opposes the prayer for bail. He submits that the petitioner has got identical criminal antecedent.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner, shall be released on bail by the trial court to its own satisfaction on the condition that the petitioner will co-operate in the trial.

(Prabhat Kumar Singh, J)

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