

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12953 of 2022

Arising Out of PS. Case No.-263 Year-2021 Thana- KHARIK District- Bhagalpur

PRASHANT KUMAR Son of Vijay Kumar Singh Resident of Basudeopur
Chadel, P.S.- Mahnar, District- Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh

For the Opposite Party/s : Mr.Rajesh Kumar

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), 36, 41(A) of the
Bihar Prohibition and Excise Act.

As per the prosecution case, total 2661.75 liters of
illicit foreign liquor has been recovered from two vehicle and
petitioner is occupant of one of the vehicles.

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 10.11.2021. 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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