

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13529 of 2022**

Arising Out of PS. Case No.-122 Year-2021 Thana- MAHINDWARA District- Sitamarhi

SUNIL PANDIT Son of Bhola Pandit @ Bhola Kumhar Resident of Village-
Bisanpur (Mauna), P.S.- Mahindwara, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha
For the Opposite Party/s : Mr. Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 10-05-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30/30(a) of the Bihar Prohibition and Excise Act and u/s 414 of the IPC.

As per the prosecution case, petitioner was unloading illicit liquor from a car and on search 194.40 liters of illicit liquor has been recovered from the car.

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. Recovery has been made from a car which was parked near the door of the petitioner. Petitioner is in custody since 19.01.2022. 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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