

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13725 of 2022**

Arising Out of PS. Case No.-377 Year-2021 Thana- MADANPUR District- Aurangabad

Vijay Dubey Son of Satyadeo Dubey Resident of Village - Sahar, P.s.-
Madanpur, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Krishna

For the Opposite Party/s : Mr.Abhay Kumar Roy

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

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

The petitioner seeks bail in Madanpur P.S. Case No. 377 of 2021, registered for the offence punishable punishable under Section 420 and other allied section of the Indian Penal Code and section 30(a)/33 of the Bihar Prohibition and Excise Act, 2018.

490 litres of spirit has been recovered from the house of co-accused Anshu @ Golu Kumar who disclosed name of this petitioner as one of associates.

It is submitted that no recovery has been made from conscious possession of this petitioner. Recovery has been made from the house of co-accused and petitioner has got no concern with the seized liquor. Petitioner is in custody since 05.01.2022.



Investigation is complete.

Learned APP however vehemently opposed the prayer for bail and submitted that petitioner has got criminal antecedent of similar nature.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner shall be released on bail by the learned trial court on its own satisfaction and on the condition that petitioner will cooperate in disposal of trial and appear before the court, as and when required.

With above observation, the petition stands disposed of.

(Prabhat Kumar Singh, J)

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