

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14215 of 2022

Arising Out of PS. Case No.-67 Year-2021 Thana- RAJAOLI District- Nawada

1. Bipin Kumar Son Of Indradeo Yadav R/O Village- Kumharua, P.S.- Rajauli, District- Nawada
2. Ranjeet Kumar Son Of Sarju Yadav R/O Village- Kumharua, P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mrs.Rita Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioners seek bail in Rajauli P.S. Case No. 67 of 2021, registered for the offence punishable punishable under Section 30(a)/41 of the Bihar Prohibition and Excise Act, 2016.

60 litres of Mahua liquor, two aluminium utensils and one *Chulha* has been recovered from Cherno *Jungle*.

It is submitted that no recovery has been made from conscious possession of petitioners. Recovery has been made from open place which is accessible to general public and petitioners have got no concern with the seized liquor. Petitioner no. 1 is in custody since 20.12.2021 and petitioner no.



is in custody since 03.12.2021. Investigation is complete.

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

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

However, once charge is framed and trial commences, the petitioners shall be released on bail by the learned trial court on its own satisfaction and on the condition that petitioners 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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