

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14842 of 2022

Arising Out of PS. Case No.-445 Year-2021 Thana- MINAPUR District- Muzaffarpur

RAJESH KUMAR Son of Mahesh Sah Resident of Village- Rajepur, P.S.-
Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma
		Mrs.Rashmi Jha
For the Opposite Party/s :		Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-05-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 272, 273, 414, 420, 120B of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, 770 liters of foreign liquor has been recovered from a pick-up van and this petitioner alongwith other accused persons were apprehended on spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner. Petitioner is neither owner nor driver of the vehicle in question and he is in custody since 23.11.2021.

Learned A.P.P. for the State has opposed the bail petition and submitted that petitioner has got one criminal antecedent of similar nature.



Considering the aforesaid facts and circumstances as well as the fact that petitioner has got criminal antecedent of similar nature of case, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, the learned court below, where the case is pending, is directed to release the petitioner on bail, **after framing of the charge.**

(Prabhat Kumar Singh, J)

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