

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15666 of 2022**

Arising Out of PS. Case No.-387 Year-2021 Thana- MIRGANJ District- Gopalganj

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DHARM PASI Son of Late Motilal Pasi Resident of Village- Kaparpura, P.S.-
Hathua, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.Nityanand

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

2 13-05-2022 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) of the Bihar
Prohibition and Excise Act.

As per the prosecution case, 216 liters of illicit
country made liquor has been recovered from Bathan of this
petitioner.

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. The Bathan in question
does not belong to this petitioner. Petitioner is in custody since
21.01.2022. 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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