

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16873 of 2022

Arising Out of PS. Case No.-244 Year-2021 Thana- KALYANPUR District- Samastipur

ARJUN RAI S/O SHATRUGHAN RAI R/o village- Purnahi, Ward No. 4,
P.S.- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Ms.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-05-2022 Heard learned counsel for the petitioner and the
State through Video conferencing.

The petitioner prays for grant of bail in Kalyanpur P.S.
Case no. 244 of 2021 registered for the offence punishable
under sections 30(a) and 41(2)(1) of Bihar Prohibition and
Excise Act.

As per prosecution case, 1609.335 liters country made
liquor has been recovered from mango orchard.

It is submitted on behalf of petitioner that nothing has
been recovered from conscious possession of the petitioner as
he was not arrested on the spot. Mango orchard does not belong
to the petitioner. He is in custody since 18.01.2022.
Investigation is complete.

However. learned counsel for the State opposed the
prayer for bail and submitted that petitioner has got criminal



antecedent of similar nature.

Considering the aforesaid facts and circumstances as well as fact that petitioner has got criminal antecedent of similar nature of cases, 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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