

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17570 of 2022**

Arising Out of PS. Case No.-5 Year-2022 Thana- FESHAR District- Aurangabad

BHOLA YADAV @ PAWAN YADAV S/o Dhanesh Yadav R/o Village-
Chatra, P.S.- Feshar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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

2 20-05-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

489 liters of country-made liquor has been recovered from from a car, of which, this petitioner was co-passenger.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner. Petitioner was neither owner nor driver of the said car and he is in custody since 19.01.2022.

Learned A.P.P. for the State has opposed the bail petition and submitted that petitioner has got four 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 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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