

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19105 of 2022

Arising Out of PS. Case No.-298 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Niraj Kumar Singh @ Niraj Sinjgh Son of Asharphi Prasad Singh Resident of
Village - Dwarikanathpur (Dwarikapur), P.s.- Karja, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey
For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-05-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Excise Case No. 298 of
2021, registered for the offence punishable punishable under
Section 30(a)/32(3) of the Bihar Prohibition and Excise Act,
2016.

3193 litres of illicit liquor has been recovered from a
truck which is said to have been brought by this petitioner and
other co-accused persons.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner is neither
owner nor driver of vehicle in question and he has got has no
concern with the seized liquor. Petitioner has been remanded in



this case on 04.02.2022. Investigation is complete.

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

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

However, once charge is framed and trial commences, the petitioner shall be released on bail by the learned trial court on its own satisfaction and on the condition that petitioner will cooperate in disposal of trial and appear before the court, as and when required.

(Prabhat Kumar Singh, J)

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