

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71339 of 2021**

Arising Out of PS. Case No.-119 Year-2021 Thana- KHIJARSARAI District- Gaya

BUTU CHAUDHARY @ BUTTU CHAUDHARY Son of Yamuna
Chaudhary Resident of Village - Sadipur, P.S.- Khizersarai, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

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

2 08-03-2022 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, five liter of country made liquor has been recovered from the motor cycle 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. Petitioner is in custody since 22.04.2021. Investigation is complete.

Learned counsel appearing for the State opposes the prayer for bail. He submits that the petitioner has got identical



criminal antecedent of similar nature.

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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