

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71345 of 2021

Arising Out of PS. Case No.-290 Year-2020 Thana- PHULPARAS District- Madhubani

JAGARNATH RAY @ JIPSA@ JIBSA Son of Santlal Ray Resident of
Village - Purmaha, P.S.- Mohiuddin Nagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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 272, 273 of the IPC and u/s 30(a), 36 of the Bihar Prohibition and Excise Act.

As per the prosecution case, 3447 liters of foreign made liquor has been recovered from a truck of which this petitioner is owner.

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 being owner of the vehicle was not aware of the consignment transported by the vehicle in question. Petitioner is in custody since 27.10.2021. 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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