

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71601 of 2021**

Arising Out of PS. Case No.-270 Year-2020 Thana- BAJPATTI District- Sitamarhi

RAJ KAPUR SAH S/o Gaurishankar Sah Resident of Village- Madhurapur,
P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Rabindra Kumar

**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, 2609.58 liters of illicit liquor has been recovered from different vehicles and this petitioner was indulged in loading and unloading of the liquor.

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 30.09.2021. 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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