

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71876 of 2021

Arising Out of PS. Case No.-270 Year-2021 Thana- SONEPUR District- Saran

Newton Kumar S/O Chandeshwar Pandit R/o village- Bakarpur, P.S.-
Sonepur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-03-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 272/273 of the I.P.C. and Sections 30(a), 36, 38 & 41(1) of Bihar Prohibition and Excise Act.

66.015 liters of country-made liquor has been recovered from the house of co-accused Sharma Pandit and the apprehended co-accused persons Abhishekh Kumar and Rabindra Pandit disclosed the name of petitioner and others, who fled away from the spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Recovery has been made from the house of co-accused and petitioner has got no concern with the seized liquor. Petitioner is in custody since 18.09.2021.



Learned A.P.P. for the State has opposed the bail petition and submitted that petitioner has got criminal antecedent and he is accused in one more case of similar nature.

Considering the criminal antecedent of the petitioner, I am not inclined to grant bail to the petitioner and same is accordingly rejected.

However, the learned trial court is directed to release the petitioner on bail *after framing of charge* on the condition that he will cooperate in disposal of trial and appear before the trial court, as and when required.

(Prabhat Kumar Singh, J)

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