

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71879 of 2021

Arising Out of PS. Case No.-629 Year-2019 Thana- RAMKRISHNANAGAR District- Patna

MUKESH KUMAR Son of Shivnath Mahto Resident of Mohalla/ Village-
Khemnichak, P.S.- Ramkrishna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jharkhandi Upadhyay

For the Opposite Party/s : Mr.Tapeshwar Sharma

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 Section 30(a), 37(b) of Bihar Prohibition and Excise Act.

Eight liters of country-made liquor has been recovered near a temple and it is alleged that said liquor belongs to this petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Rather, the recovery has been made near a temple, which is a public place and petitioner is in custody since 10.09.2021.

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 three more cases 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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