

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72155 of 2021**

Arising Out of PS. Case No.-289 Year-2019 Thana- SARAIYA District- Muzaffarpur

Krishna Mohan Thakur @ Rudal Thakur Son of Ramsobhit Thakur Resident
of Village - Baghnagri, P.s.- Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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

2 10-03-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Saraiya P.S. Case No. 289 of 2019, registered for the offence punishable punishable under Sections 272, 273, 414 and 34 of the Indian Penal Code and sections 30(a), 32(ii), 38(ii) and 41(i) of the Bihar Prohibition and Excise Act.

1652 litres of illicit liquor has been recovered from two vehicles and this petitioner is alleged to have fled away from the place of recovery after seeing the police party.

It is submitted that no recovery has been made from conscious possession of this petitioner. Petitioner is neither driver nor owner of any of vehicles in question and has got no concern with the seized liquor. Petitioner is in custody since



08.10.2021. Investigation is complete.

Learned APP however vehemently opposed the prayer for bail and submitted that petitioner has got criminal antecedent of similar nature.

Considering the facts aforesaid and criminal antecedent of similar nature, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner shall be released on bail by the learned trial court on its own satisfaction and on the condition that petitioner will cooperate in disposal of trial and appear before the court, as and when required.

(Prabhat Kumar Singh, J)

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