

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1492 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- DUMRA District- Sitamarhi

SHYAM RAI @ SHYAM BABU RAI S/O LATE DHANUSH RAI @
DHANUKH RAI R/o village- Kauriya, Lalpur, P.S.- Runnisaidpur, District-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimal Kumar
		Mr. Birendra Kumar
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 30(a)/36/41(i) of Bihar Prohibition and Excise Act.

As per the prosecution case, 2014 liters of illicit foreign liquor has been recovered from different vehicles and petitioner is alleged to have assisted in procuring the illicit liquor.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner. Recovery has been made from an open place. Petitioner is in custody since 22.09.2021.

However, learned A.P.P. for the State has opposed the bail petition and submitted that petitioner has got twelve



criminal antecedent, out of which, ten cases are of similar nature.

Considering the aforesaid facts and circumstances as well as the fact that petitioner has got criminal antecedent of similar nature of cases, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, the learned court below, where the case is pending, is directed to release the petitioner on bail, **after framing of the charge.**

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

