

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50970 of 2016

Arising Out of PS.Case No. -106 Year- 2016 Thana -DERNI District- SARAN

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Munna Kumar Son of Ramesh Manjhi Resident of Village Pojhi, P.S.
Derni, District Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-11-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
24.09.2016 in connection with Derni P.S. Case No. 106 of 2016
registered for the offence punishable under Section 47 of the
Excise Act.

The prosecution case, as lodged by the police, is that
they found the petitioner with 12 litres of spirit on a motorcycle
along with one another co-accused.

It has been submitted by the learned counsel for the
petitioner that petitioner has no criminal history and that he has
been falsely implicated in the aforesaid case. He further submits
that although the place of occurrence was on road, but the seizure-

list bears police station case number, hence, the entire allegations have been falsified against the petitioner. He further submits that nothing has been recovered from the conscious possession of the petitioner and has been arrested merely on the basis of suspicion.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Derni P.S. Case No. 106 of 2016.

(Nilu Agrawal, J.)

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