

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58052 of 2018

Arising Out of PS.Case No. -79 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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Munna Kumar S/o Late Bishu Sao @ Visho Saw, R/o Mohalla- Ward No.
58, Chaili Tand, P.S.- Alamganj, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Special Case
No. 6829 of 2018 arising out of P.R. Case No. 79 of 2018 for
offences punishable under Sections 30 (a), 32(i) and 38 (i) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the Excise Officials,
is that on secret information that the petitioner is engaged in
selling illicit liquor, the Excise Officials reached the place of



occurrence and found petitioner with 16.955 liters kept in the bags. The petitioner was apprehended.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses and that the petitioner is languishing in judicial custody since 25.07.2018. He submits that nothing has been recovered from his conscious possession and that the provisions of Section 100 of the Cr.P.C. has not been complied.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-Excise, Patna in connection with Special Case No. 6829 of 2018 arising out of P.R. Case No. 79 of 2018, subject to the condition that one of the bailors would be a close relative of



the petitioner having sufficient immovable property, who will file
an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/Priyanka

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