

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60122 of 2017

Arising Out of PS.Case No. -157 Year- 2017 Thana -KAHAIYA District- MUZAFFARPUR

=====

Manish Kumar, son of Pankaj Kumar Singh resident of Village- Shivrag
Phoolkahan, P.S. Kanti (Panapur O.P.), District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Kathaiya P.S. Case No. 157 of 2017 instituted for the offences under Sections 414, 307, 511 and 34 of the Indian Penal Code and under Sections 30(a), 32(ii) and 38(ii) of the Bihar Prohibition & Excise Act, 2016.

The case of the prosecution is that while the Police was on patrolling duty, secret information was received that a car was coming from Deoriya having illegal articles. The Police tried to stop the said car, however the driver tried to dash the informant and then tried to flee away. However, upon chase and firing by the Police in self defence, the driver of the car stopped the car and fled away. However, the petitioner herein who was a co-



passenger in the said car was apprehended. On search, various quantities of illicit foreign liquor totaling 270 liters was recovered from the said car.

The learned counsel for the petitioner submits that in paragraph-5 of the petition, it has been categorically stated that the petitioner had taken a lift in the said car by paying a sum of Rs. 500/- for going to Muzaffarpur. It is further submitted that the petitioner is a student and he has a clean antecedent as well as he is languishing in custody since 09.10.2017.

Considering the nature of accusation, the period of custody already undergone and the fact that the petitioner has got a clean antecedent as also the admitted fact that the petitioner was a co-passenger in the said car, I direct the petitioner above named to be released on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Muzaffarpur in connection with Kathaiya P.S. Case No. 157 of 2017.

(Mohit Kumar Shah, J)

S.Sb/-

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

