

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17802 of 2019

Arising Out of PS. Case No.-68 Year-2018 Thana- SAHAJITPUR District- Saran

Munna Thakur @ Munna Kumar Singh, Son of Late Loha Thakur @ Bhola Thakur Resident of Village- Sisai, P.S.- Sahajitpur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate
For the Opposite Party/s : Mr. Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-03-2019 Heard the learned counsel for the petitioner and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sahajitpur P.S. Case No. 68 of 2018 dated 27.06.2018 instituted for the offences under Sections 30, 30(a) and 38 of the Bihar Prohibition and Excise Amendment Act, 2016.

The prosecution case as per the self-statement of S.I. Sriram Rai, Sahajitpur Police Station is to the effect that on 26.06.2018 at about 10.00P.M., informant along with other police officials went for arresting the accused persons in connection with some liquor recovered from the parked truck near the house of Munna Thakur and total amount of 2008.080 litres of foreign liquor was recovered. It is further alleged that



thirteen accused persons including the petitioner escaped from the scene.

It is submitted by the learned counsel for the petitioner that the recovery has not been made from conscious physical possession of the petitioner and the FIR suggests that part of the recovery of the illicit liquor was made from the parked truck near the house of the petitioner and remaining liquor was recovered from the demolished house of one Trigunal Thakur. It is further submitted that similarly situated co-accused persons have been granted privilege of anticipatory bail by different co-ordinate benches of this Court vide order dated 20.08.2018 in Cr. Misc. No. 50717 of 2018 and vide order dated 05.09.2018 in Cr. Misc. No. 52405 of 2018. A statement has been made in paragraph no. 3 of the petition that the petitioner is accused in one other case also on which he is on bail.

It is submitted by the learned APP for the State that the petitioner was seen escaping from the place of recovery.

Considering the aforesaid fact, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of



Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional District Judge, Saran at Chapra in connection with Sahajiptur P.S. Case No. 68 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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