

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27245 of 2019

Arising Out of PS. Case No.-37 Year-2019 Thana- MINAPUR District- Muzaffarpur

DEEPAK KUMAR @ MUNNA Son of Jagarnath Mahto Resident of Village -
Sihaipatti, P.S.- Sihaipatti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-04-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Minapur P. S. Case No.
37 of 2019 instituted for the offence under Section(s) 272 and
273 of the Indian Penal Code and Sections 30(a)/38/41 of the
Bihar Prohibition and Excise Act, Muzaffarpur.

Learned counsel for petitioner submits that there is no
recovery of any spirit from conscious possession of the
petitioner.

In the written report, it is alleged that during course of
patrolling informant along with other police officials went near
the house of Ram Babu Sahani and heard sound of some
persons and, on suspicion, surrounded the house of Ram Babu
Sahani. It is further alleged that one person managed to run



away and seven person including the petitioner were apprehended by the police. It is further alleged that on interrogation apprehended persons disclosed their identity including the identity of petitioner and the person who managed to run away as Ram Babu Sahani. It is further alleged that two vehicles were standing in front of house of Ram Babu Sahani from which 200 litres of illicit spirit were recovered from each vehicle. The petitioner with other accused persons have been apprehended by the police.

Learned counsel for the petitioner submits that petitioner has been arrested merely on suspicion.

Petitioner is in custody since 6.2.2019.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Spl. Judge Excise, Muzaffarpur in connection with Minapur P. S. Case No. 37 of 2019 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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