

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79261 of 2018

Arising Out of PS. Case No.-711 Year-2018 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Monu Tiwari @ Ashwani Kumar son of Ashok Tiwari, Resident of village
Sherpur, P.S.-Sadar, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2019 Heard both sides.

The petitioner apprehends his arrest in Muzaffarpur
Sadar P.S. Case No.711 of 2018 registered under Section 30(a)
of the Bihar Prohibition and Excise Act.

The police got secret information that some body was
carrying liquor on a Wagon-R vehicle and thereafter the police
intercepted the said vehicle but the person who was driving the
vehicle managed to flee away.

Learned counsel for the petitioner submits that the
name of the petitioner is said to have been disclosed by the
locals. There is no material to show that the petitioner was
driving the vehicle. The seizure list was prepared on 15.05.2018
but the F.I.R. was lodged on 15.09.2018. It is further submitted



that the petitioner has been falsely implicated by the villagers. The informant did not disclose the name of the person, who disclosed the name of the petitioner.

Having considered the facts aforesaid and the fact that save and except the so-called villagers who disclosed the name of the petitioner, there is no material to show that the petitioner was driving the vehicle, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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, Muzaffarpur in connection with Muzaffarpur Sadar P.S. Case No.711 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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