

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33261 of 2019

Arising Out of P.S. Case No.-112 Year-2019 Thana- BAHADURPUR District- Darbhanga

MUNNA SINGH, aged about 38 years (Male) S/o Mahesh Singh @ Mahesh Prasad Singh R/o village- Sinuara, P.S.- Bahadurpur, Distt.- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Pramod Kumar Singh, Advocate
For the Opposite Party : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(A) and 41(i) of the Bihar Excise (Prohibition) Amendment Act, 2016.

The prosecution case is that 56.52 liters of country made wine was recovered from the house of co-accused Sitaram Kahar.

It is submitted on behalf of the petitioner that there is general and omnibus allegation against the petitioner. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent. It is also submitted that no seizure list was prepared, hence, there is violation of



Section 100 of the Cr.P.C. It is also submitted that save and except the confessional statement, there is no material against this petitioner.

Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-V-cum-Special Judge (Excise Act), Darbhanga, District-Darbhangha/successor Court in connection with Bahadurpur P.S.Case No.112 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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