

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37912 of 2019

Arising Out of PS. Case No.-70 Year-2019 Thana- BRAHMPURA District- Muzaffarpur

PRAKASH KUMAR Son of Sheonath Singh Resident of Village - Piprahan,
P.S.- Panapur O.P. (Minapur), District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 21-06-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Brahmpura P.S. Case No. 70 of 2019**, instituted for the offence under Section(s) 414/34 of the Indian Penal Code and Sections 30(a) and 41(1) of Bihar Prohibition and Excise Act, 2016.

It is alleged in the written report that Police during vehicle checking saw one Glamour Motorcycle loaded with sack on which one person was pillion rider. On seeing the Police party they wanted to run away by turning the Motorcycle, but the Motorcycle was caught with the driver. The person who was seated behind the Motorcycle fled away. The driver of the Motorcycle told his name as Prakash Kumar (petitioner). He disclosed the name of person who had fled away was Vicky Kumar. On search, 70 bottles of 375 ml. each



foreign liquor has been recovered from the sack kept in three cartons.

Counsel for the petitioner submits that petitioner was merely driving the Motorcycle. The pillion rider managed to run away. Petitioner is in custody since 10.3.2019 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. 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 **learned Special Judge, Excise, Muzaffarpur**, in connection with **Brahmpura P.S. Case No. 70 of 2019**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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