

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48141 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- MINAPUR District- Muzaffarpur

Manoj Kumar @ Manoj Prasad Son of Sri Ramprit Prasad Resident of
Village-Kharkhar, P.S.-Minapur, District-Muzaffarpur.

.. ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.

Ms. Babita Kumari, Adv.

Ms. Swati Sinha, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 02-08-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Minapur P.S. Case No. 44 of 2019 for the offences under
Sections 272, 273, 120(B) of the Indian Penal Code and Section
30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner in the instant case
3000 liters spirit country made liquor was seized but nothing
was recovered from the conscious possession of the petitioner
and he has no concern with the seized spirit. He further submits
that at the instance of Deep Narayan Prasad petitioner has been
falsely implicated in the present case. Petitioner is in custody
since 30.06.2019.

Learned counsel appearing on behalf of State



opposing the prayer for bail submits that this petitioner has criminal antecedent. However, he admits that petitioner was not made accused in any of the case under the Prohibition and Excise Act previously.

Considering the fact that nothing was recovered from the conscious possession of the petitioner and petitioner was not made accused in any of the case under the Prohibition and Excise Act previously, the Court is inclined to grant bail to the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Court of learned Special Judge Excise Act, Muzaffarpur in connection with Minapur P.S. Case No. 44 of 2019.

(Anil Kumar Upadhyay, J)

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