

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53157 of 2019

Arising Out of PS. Case No.-164 Year-2018 Thana- MAHESHKHUNT District- Khagaria

Munna Kumar Paswan @ Munna Paswan, Aged about 24 years, Male, Son of Mangal Paswan, Resident of Village Begambad, Singhiya Tola, P.S. Sadar, District Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-08-2019 Heard both sides.

Petitioner apprehends his arrest in Maheshkhunt P.S. Case No.164 of 2018, registered under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

The police intercepted a vehicle bearing Registration No.BR11L/6513 and arrested two persons, namely, Munna Kumar Paswan, son of Sunil Paswan and Pintu Mandal, son of Late Awadhesh Mandal and recovered 264.6 litres liquor from the vehicle. Pintu Mandal, the driver of the vehicle and Munna Kumar Paswan, son of Sunil Paswan disclosed that they had purchased liquor with the help of the petitioner, Munna Kumar Paswan @ Munna Paswan, Son of Mangal Paswan, Resident of Village Begambad, Singhiya Tola, P.S. Sadar, District Purnea who owns Mobile No.8709214733. The owner of the vehicle is Pawan Singh who is the friend of the



petitioner.

Learned counsel for the petitioner submits that petitioner was not apprehended with the accused persons who were carrying liquor on their vehicle. There is nothing on record to show that the petitioner got the liquor purchased to the accused persons, namely, Pintu Mandal and Munna Kumar Paswan, son of Sunil Paswan. Save and except the fact that the apprehended accused disclosed the name of the petitioner, there is no evidence to show that the petitioner is involved in purchasing and carrying liquor from one place to another and petitioner has got no criminal antecedent.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, 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 the learned Additional Sessions Judge-2nd-cum-Special Judge, Excise, Khagaria in connection with Maheshkhunt P.S. Case No.164 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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