

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64445 of 2019

Arising Out of PS. Case No.-181 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

MUNNA KHATTIK @ MUNNA SAH @ SITA RAM SAH Son of Late Ram
Khelawan Sah Resident of Village-Gudri Bazar, Police Station-Laheriasarai,
District-Darbhanga.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Mirityunjay Kumar, Advocate. Mr. Praveen Kumar, Advocate.
For the State	:	Mr. Upendra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Laheriasarai Police Station Case No.181 of 2019/G.O. Case No.464
of 2019 registered under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2016.

The accusation is that on receiving secret information
about concealing the liquor in the toilet of the Primary School,
situated at village-Gudri Bazar, by the petitioner, who was earlier
sent to jail in respect to the recovery of liquor from his house, the
informant along with other police personnel reached there. On
seeing the police party, 2-3 persons fled away in lane. In presence of
the local witnesses, on search of the toilet of the said school, 432



bottles of 180 ml. Indian Made Foreign Liquor, kept in 9 cartoons, whereas 12 bottles of 750 ml. Indian Made Foreign Liquor, kept in one cartoon, were recovered. The informant claimed that this petitioner had concealed the recovered liquor in the toilet of the said school.

Learned counsel for the petitioner submits that, earlier, the petitioner was made accused in one another case, as detailed in paragraph-3 to this application, due to that reason, he has falsely been implicated in this case by the police, while it would appear from the F.I.R. that the petitioner was not apprehended on the spot nor any incriminating article was recovered from his house.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Darbhanga, in connection with Laheriasarai Police Station Case No.181 of 2019/G.O. Case No.464 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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