

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5456 of 2020

Arising Out of PS. Case No.-431 Year-2019 Thana- KUDHNI District- Muzaffarpur

MUNNU KUMAR, aged about 25 years, Male, Son of Binda Roy @ Binda Lal Rai, Resident of Village-Kerma, Naya Tola, Police Station-Kudhni, District-Muzaffarpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Md. Shamimul Hoda, Adv.

For the Opposite Party : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 11-06-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state through video conferencing.

The petitioner seeks pre-arrest bail in connection with Kudhni P.S. Case No. 431 of 2019, registered under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

On receiving the secret information about selling of liquor by Ratan Kumar @ Bholu, Vikas Kumar and Munnu Kumar (petitioner) in village Kudhni carrying the same from Alto car, the informant, along with other police personnel, reached there. On seeing the police party, the aforesaid persons and some unknown started to flee away, leaving the Alto car. On search of Alto car, 31 bottles, each containing 750 ml, 48 bottles, each containing 375 ml and 41 bottles, each containing 250 ml Indian made foreign liquor recovered.



Submission is that it would appear from the first information report that the name of the petitioner has been surfaced mere on suspicion, neither the petitioner has been apprehended on the spot nor anything has been recovered from him. Further, submission is that the petitioner is not the owner or driver of the seized vehicle. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Kudhni P.S. Case No. 431 of 2019 shall be released on bail on 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, Muzaffarpur, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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