

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12262 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- MITHANPURA District- Muzaffarpur

MUNNA PATEL Son of Vishwanath Mahto, Resident of Village - Shashtri
Nagar Chakbandi Gali, P.S.- Mithanpura, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 12-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State through the virtual court proceeding.

In this case, the petitioner is seeking anticipatory bail in connection with Mithanpura P.S. Case No.09 of 2020 registered for offence punishable under section 414 of the Indian Penal Code and sections 30(a), 32(ii), 41(i) of the Bihar Prohibition and Excise Act.

A pick-up van bearing Registration no.BR31GA 9995 and a motor cycle were intercepted and on search, 192.600 litres of foreign liquor has been recovered from there. The name of the petitioner has transpired during investigation by way of confessional statement, altogether 13 persons have been implicated in the present case to be involved in the illegal trade.

Learned counsel for the petitioner submits that



neither the pick-up van nor the motor cycle belongs to the petitioner, he was not present there, nothing has been recovered either from his possession or his house and his name has come during investigation on the basis of confessional statement made by one Monu Kumar.

Looking to the quantity of liquor and fact that the name of the petitioner has transpired to be involved in the illegal trade of liquor, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, if the petitioner surrenders before the court below within three weeks and prays for regular bail, the court below without being prejudiced by this order will take decision in accordance with law.

(Shivaji Pandey, J)

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