

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23157 of 2020

Arising Out of PS. Case No.-50 Year-2020 Thana- MOTIPUR District- Muzaffarpur

Murli Kumar @ Murli Manohar Kumar S/o Late Jitendra Ray Village-
Shirkhiriya, Banaras, P.S.-Runnisaaidpur, District-Sitamarhi, Bihar.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Anish Kumar, Advocate

For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-09-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor representing the State.

The petitioner seeks bail in a case registered for the
offence punishable under sections 30a/41 of the Bihar
Prohibition and Excise Act as well as under the Arms Act.

Prosecution's case, in brief, is that the police searched
a pickup vehicle and apprehended four persons and recovered
70 liters spirit. One country made pistol with loaded cartridge
was also recovered from the vehicle. Petitioner is said to be the
driver of the vehicle.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. He submits
that the petitioner is a poor driver and he was not aware of the
consignment/transportation which belonged to one of the co-
accused. He submits that the petitioner is no way related with



the said recovery of spirit and fire arms. Petitioner has got no criminal antecedent and he is in custody since 2.3.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above 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 Special Judge, Excise Act Muzaffarpur in Motipur Police Station Case No. 50/2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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