

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27740 of 2020

Arising Out of PS. Case No.-99 Year-2020 Thana- MUSAHARI District- Muzaffarpur

Munna Kumar S/o Kishori Sah Resident of Village-Bela Chhapra, P.S-Bela,
District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 14-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The instant application for regular bail has been filed by the petitioner in connection with Musahari P.S. Case No. 99 of 2020 registered under sections 272 and 273 of the Indian Penal Code and sections 30(a) and 36 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on a secret information having been received, on being signalled to stop it is stated that the petitioner tried to throw away his bag and attempted to escape but was caught. It is stated that 44.25 litres of IMFL was recovered from his possession.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place and the allegations



as made in the F.I.R. are false and concocted. He is in custody since 12.6.2020.

The application for bail is opposed by learned APP for the State who submits that besides there being recovery from the petitioner, he also has a criminal antecedent under the Excise Act.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case and the petitioner being in custody since 12.6.2020, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Musahari P.S. Case No. 99 of 2020 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 learned Special Judge, Excise Act, Muzaffarpur.

(Partha Sarthy, J)

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