

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24739 of 2020

Arising Out of PS. Case No.-483 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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KUNAL KUMAR Son of Ranjan Singh Resident of Village- Bari Aghu,
Mohan Aghu, Police Station- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Mr. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-12-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Begusarai Muffasil P.S. Case No. 483 of 2019, registered for the offence punishable under sections 414 and 120-B of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated that on a raid being conducted 46 cartons of illicit liquor were recovered and it is further stated that Rohit Kumar and Jitendra Kumar, who were caught in the said raid, disclosed that besides them, other accused persons including the petitioner herein were also involved in the trade of liquor. The said container was seized



and a total of 3461.04 litres of IMFL was recovered.

It is submitted by learned counsel for the petitioner that he has absolutely nothing to do with the said container or the seized liquor. No material has transpired in course of investigation to connect him with the same. Except for the statement of co-accused made before the police, taking the name of the petitioner as an accomplice, there is no material against him. He submits that he has been falsely implicated in the case for the reason that he had on earlier occasion been implicated in cases under the Bihar Prohibition and Excise Act.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submission made on behalf of the petitioner especially the fact that the only material against him is the statement of co-accused made before the police and the petitioner has no concern with the seized container from which the liquor was recovered, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Begusarai Muffasil P.S. Case No. 483 of 2019 he will be enlarged 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 learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Begusarai subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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