

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29856 of 2020

Arising Out of PS. Case No.-328 Year-2019 Thana- MURLIGANJ District- Madhepura

NUNU THAKUR Son of Asesar Thakur Resident of Village- Balthi Musahari, Ward No.6, Rasulpur, P.S.- Bochaha (Buchha), District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-12-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner apprehends his arrest in Murliganj P.S. Case No. 328 of 2019 corresponding to Excise Case No. 1022 of 2019, registered for the offence punishable under Section 30(a)/41(i) of the Bihar Prohibition and Excise Act, 2016 and section 379/411 of the Indian Penal Code.

5103 litres of foreign liquor has been recovered from possession of co-accused persons named in the FIR and it is further suspected that the same has been kept in the



truck of this petitioner which has been seized by the police.

It is submitted that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. Petitioner has been made accused in this case simply because he is owner of the truck in question. It is further submitted that petitioner has given his truck on hire and without his knowledge Arun Yadav driver of the truck was carrying illicit liquor in the said truck. Petitioner has got clean antecedent, as stated in para 3 of the petition.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Additional Sessions Judge Iind-cum-Special Judge, Madhepura in connection with Murliganj P.S. Case No. 328 of 2019 corresponding to Excise Case No. 1022 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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