

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31938 of 2020

Arising Out of PS. Case No.-229 Year-2020 Thana- MINAPUR District- Muzaffarpur

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1. Md. Munnu, son of Md. Anwar.
 2. Md. Nirale Hassmi, son of Md. Sohail.
- Both are resident of village-Tihari Madaripur Karn, P.S.-Meenapur,
Distt.-Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ravi Ranjan, Advocate
For the Opposite Party : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-12-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners have filed the present application under Sections 439 and 440 of the Code of Criminal Procedure for grant of bail in connection with Meenapur P.S. Case No. 229 of 2020 registered under Sections 272, 273, 414, 120B read with 34 of the Indian Penal Code and Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

3. It is contended by the learned counsel for the petitioners that the petitioners have got no concern with the alleged seized foreign liquor. They are neither owner of the Tata Ace vehicle nor of the chicken shop from where the alleged recovery of foreign liquor was made. They are residents of the



same village and had no prior knowledge about illegal activities of co-accused Md. Hassnain Khan from whose shop alleged recovery of liquor was made. They are in custody since 26.06.2020.

4. Learned counsel for the State has opposed the application for grant of bail to the petitioners.

5. Considering the nature of the offences, the allegations made in the first information report, submissions advanced at the Bar, the pleadings made in the application and the period undergone by the petitioners in custody, they are directed to be released 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 the learned Special Judge, Excise Act, Muzaffarpur in connection with Meenapur P.S. Case No.229 of 2020.

6. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my e-mail by the Senior Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my e-mail id to the Senior Secretary, which shall be treated to be an authentic copy of the order



passed by this Court in the present proceeding.

- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let steps be taken by the Senior Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J.)

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