

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83616 of 2019

Arising Out of PS. Case No.-482 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

MIKKU KUMAR @ MIKKU S/o Ram Shankar Singh R/o village- Machaha,
P.S.- Muffasil, District- Begusarai.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Ram Sumiran Rai, Advocate.
For the State	:	Mr. Anil Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 10-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No.482 of 2019 registered under
Sections 414 and 120(B) of the Indian Penal Code besides
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.

The accusation is that on receiving the information
about selling the liquor by Rohit Kumar along with his
associates at his Saw Mill, situated in village-Patapur, the
informant along with other police personnel reached there. On
seeing the police party, two persons tried to flee away from
there but they were apprehended, who disclosed their name as



Rohit Kumar and Jitendra Kumar. On search of the premises of Saw Mill of Rohit Kumar, several bottles of Indian Made Foreign Liquor, kept in different cartoons, in the volume of 407.625 liters, were recovered. On query, both the caught hold persons disclosed that Mikku Kumar (petitioner), Manish Kumar and Amit Kumar are their partners in selling the liquor and the liquor is to be supplied to Kunal Kumar and Vishal Kumar. They also disclosed that one small container of liquor is to reach at Dumri Gaon for selling and for that, the vehicle has been made available by Pappu Singh alias Sardar.

Learned counsel appearing for the petitioner submits that it would appear from the F.I.R. that the petitioner was not apprehended on the spot rather his name has surfaced in the confessional statement of the caught hold persons. Further submission is that the petitioner had also been implicated in Muffasil P.S. Case No.483 of 2019 on the same day, as detailed in paragraph-3 to this application, for the recovery of illicit liquor but in that case also, the petitioner was not apprehended and in that case, the petitioner has already been granted the privilege of pre-arrest bail by a Coordinate Bench of this Court vide order dated 17.02.2020 passed in Criminal Misc. No.84241 of 2019.



Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Raj Kishore Rai, Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai, in connection with Begusarai Muffasil (Singhaul) P.S. Case No.482 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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